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TO  
The Serious Consideration  
OF THE  
People of ENGLAND;  
These DISCOURSES  
ON THE  
USE and ABUSE of Parliaments,  
ARE,  
In the most earnest and affectionate Manner,  
Recommended;  
That ALL may know the TRUTH;  
And that the TRUTH may make us FREE.

OF THE  
**USE and ABUSE**  
 OF  
 PARLIAMENTS;  
 In Two  
**Historical DISCOURSES,**

VIZ.

- I. A General View of Government in *Europe*.
- II. A Detection of the Parliaments of *England*,  
 from the YEAR 1660.

IN TWO VOLUMES.

ENGLAND can never be Undone but by a PARLIAMENT.  
*A Maxim of the great Lord BURLEIGH's.*

VOL. I.

L O N D O N:  
 Printed in the Year, 1744.

**Advertisement.**

**A** *S an Act of Justice to the Memory of a great Man, it is necessary to acquaint the Reader, That he stands indebted for the first of the following Discourses, to the celebrated Algernon Sydney, Esq;*

( I )

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A  
GENERAL VIEW  
OF  
GOVERNMENT  
In EUROPE.

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## INTRODUCTION.

S I R,

**S**EE the effect of your Commands, The want of Time, of Books, and Assistance in this my Retirement, make me very incapable of the Undertaking: But my Obedience and Performance with a Kid, will I hope be accepted, when I cannot sacrifice an hundred Bulls.

Without farther Ceremony or Introduction, according to my Apprehension, when we enquire into the Authority and  
B Nature

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Nature of Parliaments, our Thoughts should be raised above all Prejudice and Particularities; we should not conceive of them, as of some Creature, form'd and nourish'd under this or that Constitution, but have a Notion as large and general, as is that of Government or Civil-Society.

We must not be confin'd to the Writers of this or that Age, or Country; but consult the universal Reason and Sense of human kind, where Civil Government has been exercised.

Much less is any particular Profession or Faction of Writers, to be the only Authors of Credit with us, in this Enquiry.

Our Knowledge must be something digested; and an impartial Result from a Consideration of all as, well Times and Countries, as Writers and Customs.

The Civilians, with their *Bartolus* and *Baldus*, are not to dictate to us on this Occasion. These were bred out of the Corruption of the *Roman* Liberty; and were Instruments of Servitude from the Beginning. Their Work was, by hook and crook, to rap and bring all under the Emperor's Power; that was their Study, that their Province. But they were always ignorant of the Practices of better Times, and utter Strangers to the just Rights of a Free-People; their Rules  
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and their Maxims were, in effect, no other, than so many Stripes, so many Marks, and items of Slavery to the Subjects.

Then, for the Municipal Lawyers of every Nation, they also are educated under too narrow a Dispensation to think justly in these matters.

The Letter is the Sphere where they show their Activity, even, sometimes, to the perverting and turning it against the Reason and Intentions of the Legislator.

Their small Niceties, and their Subtleties, and their Inferences, are too fine drawn to bear or support a Matter of this Weight and Circumference.

Their Deductions and Argumentations must ever be taken with some Grains of Allowance; the Cause here requires other Forms and Considerations. We are not to stick at the Letter, but go to the Foundation, to the Inside and Essence of things.

By their Acquaintance with the Customs and Laws, they may aid and direct, but not over-rule; they may apply their Observations to strengthen the Fundamental Reason, but are not to perplex and subvert the Form of Government.

My Lord *Cook* tells us, Parliament is derived from *Parler le ment*, i. e. from speaking the mind. He might as honestly have

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taught us that Firmament is *firma mentis*, a Firm for the Mind; or Fundament, the Bottom of the Mind.

My Lord *Cook*, how sage soever otherwise, in Parliament-House is no more Authority than *Thomas Aquinas*.

And take him from his ordinary Element, his Reasons are many Times as ridiculous as his Etymologies.

Then for the Holy Scripture; the Design of it is no more to teach us Politics, than to make us Philosophers.

*Abaz's* Dial is no Precedent for our time or Measures; nor may the *Theocracy* of the *Jews* authorize us to set up for King *Jesus*.

Our blessed Saviour did not distinguish whether *Cæsar* demanded Tribute, as Tribune and Servant of the people; nor whether the *Roman* Empire remained still Democratical, (as *Cæsar* pretended) or was Monarchical, as, in effect, it prov'd.

The Holy Ghost neither alter'd the Complexion, nor refin'd the Education; but a Shepherd, notwithstanding the Oracles he delivered, continued the same in other circumstances, as if he never had been inspir'd.

In like manner, where-ever *Christ* is preached, the Soul-saving Doctrine in no  
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wife operates upon the Policy or civil Constitutions; but leaves those Affairs to be influenc'd by the ordinary Prudence and Discretion.

Whether therefore, it be some particular generosity in our Nature, that renders us impatient of Slavery: or whether the Temperateness of the Climate inclines us to a Moderation in our Government: Or whether it may be some favourable Aspect of the Planets, (as *Ptolomy* would persuade us) that disposes *Europe* to the Love of Liberty;

So far as any Record or History can inform us, That Arbitrary and unlimited Domination, so familiar in the Eastern Parts of the World, amongst us did always shew uncouth, and to be stared upon no less than their Elephants; And indeed to us seem altogether inconsistent with a civil People.

And it can be no more the Business of the Gospel to reconcile us to that Yoak, than it is to emasculate our Complexion and Nature, to change the Temper of our Climate, or to turn our Stars from their Course.

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## S E C T. I.

*Of the Origine, Power and Antiquity of  
Parliaments.*

**A**LL Power is from God, and we are to be subject to the Higher Powers; this all consent to; this is Doctrine alike true in *Holland*, as in *France*, at *Venice*, as at *Constantinople*.

But where this High Power and Sovereignty rests, in whom 'tis lodged, this is a point not so obvious: Nor can the S. S. or holy Fathers any way help us in the Discovery.

The Customs and particular Laws of every Nation, are only capable to direct us in that Scrutiny.

Obedience is as much a Duty, and Rebellion as black a Sin where the people are King, as where a single-Person has the Sovereign Sway.

The Title of King, Monarch, or Emperor, the Scepter, the Crown, the Royal Throne, with all the Robes and Pomps, and Badges of Sovereignty, and the Precedency before other Christian Kings, have the shadow of Majesty, but have none of the Substance, as *Bodin* truly observes.

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The *Cæsars* were never so absolute, as when the Senate had the Shew, and the Name of all: But afterwards when their Power declin'd, then did their Shadows lengthen, and their Titles swell beyond all Sobriety and Proportion.

The *French* Parliaments in their Scarlet Robes, know none of that Sovereign-Power which their plain Ancestors so long had exercised in their grey Jackets.

The Pontificalibus and Formality, derogates from the Antiquity and Independency: And our House of Commons may seem in a manner, (if I may so say) to have committed some kind of Solecism, in taking a Mace to be carried before them, but that their Simplicity and Plainness otherwise sufficiently demonstrates them the true, sincere, original, fundamental, Common-Council, constituted and form'd before Forms and Pageantries and Fopperies obtain'd in our *English* World.

For Badge and Ornament they had *Jupiter's* Sceptre; which *Plato* interprets to be, not a tipt Batoon, or glittering, engraven Thing, but the Laws and Legislative Power.

*Homer* has taught the World to call Kings Pastors of the People. We commit not the charge of our Cattle to any one of the Herd, nor for our Sheep do we chuse one

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out of the Flock to be their Shepherd; but set over them a more excellent sort of Animal; some Man is appointed for the Neatherd, and for the Shepherd, to govern and take the charge of them.

Now since for the Conduct and Sway over men, the World is not furnish'd with any Species more noble than Man, Art supplies what wanted in Nature; an artificial Man is fram'd a politic Creature, a King that never dies, that can do no wrong, that cannot be deceived, whose Councils and Determinations are the Result of the joint Experience and Wisdom of a whole Nation.

Now, whether this artificial Creature, may be call'd a mixt Sort of Government, as the Antients imagin'd; Or that it be originally, essentially, and fundamentally a Democracy, Monarchical in the Administration, as *Bodin* and our Modern Politicians seem to understand; This certainly is the Government that always has obtain'd in *Europe*; and that which all, amidst their Commotions, Distractions, and Convulsions, in some manner or other, with more or less Success and Perfection, have tended to, as their Center, and only Place of Rest.

If therefore the Jews had desired a King after the manner of the *Europeans*, their Importunity peradventure might not have been

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been so provoking to the Almighty: And we should have found another kind of Catalogue of their fair Qualities, than that delivered us by the Prophet: For, however their *Asian* or *African* Neighbours might have domineer'd it, and bluster'd, a calmer Gale was always wont to breathe amongst us in *Europe*; and, God be thank'd, we are many degrees Northern Latitude from *Og* the King of *Bashan*, and the Lands of those other Gyants, *Amalekites*, and *Philistines*.

The first Writers amongst us had their Imaginations so over-born with the Excellency of Kingly Government, that they fancied in Heaven *Jupiter* to be the King of the Gods: And yet they thought the Common Council so necessary and essential, that *Homer* represents even *Jupiter*, upon a great occasion, calling his θεῶν ἀγορὴν, his Parliament of the Gods.

Ζεὺς ἢ θεῶν ἀγορὴν ποιήσασθε περὶ κλέεσθαι.  
'Ἀκροτάτη κορυφῇ πολυδαιρέδος ἐλύμποιο.

I have heard Divines observe something of this kind, as figured of God Almighty from those words, *Let us make Man*: Those Words in the plural Number to them seemed to import, as if God summon'd a Parliament  
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of the Trinity, to consult upon that arduous  
Affair.

Our Christian Poets have taken the same  
Liberty, and fancied this, as an Image of  
Greatness, where could be no Accession to  
the Wisdom and Omnipotence.

But again, *Homer* (whom *Plato* in his  
Book of Laws, mentions as a Prophet, and  
one who reveals those things concerning  
Government, by Inspiration, which are not  
by human Knowledge to be attain'd) to shew  
the utmost Inhumanity and Barbarity of the  
*Cyclopes* and their Government, tells us,  
*They neither held Parliaments for Council,*  
*nor had Right.*

Τοῖσιν ἢ ἀγορεύει βουλευόμενοι, ἔδωκε δὲ μίσην.

He joins Parliament and Right, as of  
late days *Guicciardine* does Parliament and  
Liberty; as if Parliament, Right, and  
Liberty, were to stand and fall together.

And indeed amongst the *Greeks*, how  
many Persons, excellent otherwise, have  
been branded for Tyrants and Monsters, and  
made odious to all Posterity, because they  
affected a more singular and unbounded  
Power than was consistent with the Customs  
and Constitutions of their Country?

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Nor was this Policy less known or practis'd  
by the *Latins*. None of the antient Kings  
of *Italy* or *Rome* exercis'd other Government  
than by Parliament, till *Tarquin* the Proud  
with much Stratagem and Artifice attempted  
a new Way: But how fatal did he find that  
innovation?

Afterwards that the *Cæsars* usurped the  
Empire, when their power was the highest,  
they affected to have all done in the name  
of the People and Senate. *Neque tam parvum  
quicquam, neque tam magnum publici privati-  
que negotii, de quo non ad Patres Conscriptos  
referebatur.*

And, notwithstanding the antient Liberty  
and Government was so run down, yet, on  
some occasions, the Authority of the Senate  
would be exerting itself.

They declared *Nero* an Enemy of the  
State, and their Sentence had its Effect.

Nor could (the Delight of human Kind)  
*Titus*, though so far engaged in Love and  
Honour, stem the Authority of the Senate,  
in favour of his dear *Berenice*: but was for-  
ced to dismiss her, because they forbid the  
Banes.

And in effect, the Power of the Senate  
once gone, that of the Emperors signified  
little; the giddy Soldiers broke all Rules  
and Measures. They mutinied, and made  
and



and unmade Emperors, where, and when, and whom they had a mind to. So that the Emperor was only Tenant at Will to the Army.

## S E C T. II.

*Of the antient Constitution of England, both under the Britons and Saxons.*

Our Butchers of History, shew a jolly Succession of Monarchs on their File for *Britain* in those Days: But *Cæsar's* Commentaries are of much better Credit, who represents the Government of *Gaul* and *Britain*, as much what the same in his time; says he of *Britain*, *Summa Imperii bellique administrandi Communi Consilio permessa est Cassivellano, &c.* The chief Command and Conduct of the War, was by the Common Council committed to *Cassivellan*. Compare these words with what he writes of the *Gauls*, l. 7. *Re in Controversiam deductâ totius Galliæ Consilium Bibracte indicitur, eodem conveniunt undique frequentes multitudines, suffragiis res permittitur, ad unum omnes Vercengentorigem probant Imperatorem.* Here the Council of all *Gaul*, by reason of the War, put it to the Vote who shall be their General; and it was carried with

with a *nemine contradicente* for *Vercengentorix*.

And 'tis beyond dispute, that their Government continued the same in the Times of which *Dion Cassius* and *Tacitus* write.

Nor is their Uniformity so strange, considering the Authority of the *Druids*, and their Correspondence in both Nations.

When the *English* and *French* came from *Germany* to people *Britain* and *Gaul*, the *German* Liberty and moderate Sway were transplanted with them; and still the Common Council had the main Stroke in all weighty Affairs; for to that Policy had they also been educated.

The Scheme of the *German* Government appears in these passages of *Tacitus*. *De minoribus rebus Principes consultant, de majoribus Omnes.* In lesser matters the principal men only, in the greatest affairs all consult.

Elsewhere he says of them, *Ubi Rex vel Princeps audiuntur Autoritate suadendi magis quam jubendi potestate.* Where the King or Prince are heard for the Reasons they bring to perswade, rather than for any Authority to command.

Hereby 'tis manifest, that in *Germany* also the people had their share in debating and directing all affairs of moment.

When

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When therefore the *French* under *Waramond*, or *Pharamond*, came to settle and mix with the *Gauls*, whatever other Differences might happen, in point of Government they were agreed beforehand, both resting upon the same Basis, the Common Council.

Accordingly in those first Days, we find them making their Kings, and again, upon occasion, unmaking them by general Consent. Hence come these Phrases so frequent in *Aimoinus*, *Sigebert*, *Engenhardus*, and the other Writers of those times. *Consensu Francorum*, *Electione Francorum*, *Secundum Morem Francorum*, *in Regem electus*, &c. On the other hand, *Franci regno deturbant*, *a Francis repudiatur*, *depositus ac detonsus in monasterium detrusus est*, *a Francis in Monachum tonsuratur*, &c. Where we may note, that our Authors intend by their *per Francos*, as much as *per consensum Francorum*, or *secundum morem Francorum*, which is, by the Common Council, and not in any unusual, mutinous, and tumultuous Way, as some might object.

Nor are we to imagine the Government presently altered, so often as we find the Historians varying their Phrase. We must now and then be content with such Words as the Monks of those Times were pleased

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to coin for us, and have new barbarous Names for the same old Civil Constitution.

Whether they speak of *Germany*, of the *French*, or of our Nation, they indifferently diversify, and employ for the same common Assembly amongst others, the Appellations and Circumlocutions following.

Sometimes they call it *Curia*, and *Curia Imperialis*, and *Curia Regalis*, *Curia solennis*, *generalis Curia*, *magna Curia*.

*Concelebranda patrum solenni curia cœtu,*  
*Curia Roncaliis jampridem indicta cœret,*

say their Poets. Which is expressed in the German Tongue, by *Hove*, *Königlicher Hove*, *grossen Hoff*.

Elsewhere it is call'd *Congregationes*, which the *Germans* render *Reichsversammlung*.

Sometimes it is call'd *Concilium Principum*, *totius Germaniæ Concilium*, *Concilium generale*. GUNTHER says,

*Concilium Procerum toto de corpore regni Convocat.*

And the Monk of *Paderborn*, who liv'd about eight hundred years ago, in his *Annals of Charles the Great*,

*Anno*

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*Anno 772.*

*Et Rex Wormatiam Carolus collegit in urbem,  
Francorum proceres ad Concilium generale.*

*Imperialia Concilia postquam cessavere, omnes pene deformitates introductæ sunt, says Cardinal Cusan.*

Elsewhere these were called *Conventus, Conventus generalis, Conventus publicus, Convenire generaliter populum suum præcepit. Habuit populi sui generalem Conventum. Habitoque juxta Morem Conventu generali.* The Monk of Paderborn thus verifies.

*Anno 775.*

*Ad Duriam vicum properant, nam rege jubente,  
Illic Conventus populi generalis habetur,*

Elsewhere,

*Venit, & ad fontes fluvii cui Lippia nomen,  
Conventum fieri Procerum jussit generalem.*

*Anno 775.*

*Publicus in Paderbrunon Conventus habetur.*

Most commonly it was called *Placitum. Compendii placitum generale habuit.* Aimoinus.  
Rex

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*Rex Pipinus habuit placitum suum in Nivernis Regino, An. 773, and An. 777. Tenuit placitum in loco qui dicitur Paderbrunnon. Abbas Stadenfis in Chr. An. 811. Imperator habito placito, &c. And the aforesaid Monk,*

*Anno 770.*

*Conventum placiti generalis habere,  
Cum ducibus se velle suis denunciatur illic.*

*Regino calls it Synodus. An. 770. Carolus habuit Synodum in Wormatiâ. 771. Habuit Synodum ad Valentinianos. 772. Synodum habuit in Wormatiâ. 775. Habuit Synodum in villâ quæ dicitur Duria. 780. In Lippa Synodum tenuit. Convenerant multi Episcopi, Abbates, & Principes ad Imperialem Synodum. Trithem. Abb.*

Afterwards in Germany, *Diet* was the Name that generally prevailed, as that of *Parliament* in France and England.

Now these Quotations and Authorities shew, not only that by all this variety of Names were understood the same *Common Council*, but that the *Principes, Proceres, Primores, Duces, Patres, &c.* imported no more in truth, nor signified other manner of Men, than the very same with *Populus.*

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And

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And the same Assembly by one Writer barely called *Populus*, or *Conventus Populi*, is by another stiled *Conventus Procerum*, *Conventus Principum*, &c. which those Terms *secundam morem*, *juxta morem*, *more solenni*, *ut solebat*, more fully demonstrate; which seem to refer and send us back to *Tacitus*, *Consultant de majoribus Omnes*.

This I the rather note, because I find Mr. Petty (amongst many other his excellent Memorials) observing the like in old Records of Parliament, where those somewhere called *Populus*, and *Vulgus*, and the *Commons*, are otherwhiles dignified with the gay Additions of *Noble*, *Most Noble*, *Most Illustrious*, *Most Gracious*, *Seigniors*, *Monsseigniors*, and *Sires the Commons*;

And likewise for that some unwary and superficial Readers from this Root have propagated and improved many Errors of pernicious Consequence to our antient and fundamental Policy and Government.

The *French*, incorporating and growing one People with the former Inhabitants, had a much easier Province; they settled, and pursued their native Customs and Forms of Government, nor met with that Difficulty and Opposition which in this Nation attended the *English* and *Saxons*. These had a much harder Game to play. These could in no  
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wise fix, or find any sure Footing, without first clearing their Way, and driving the *Britons* up by themselves, into a Corner of the Land.

And after much tumbling and Bustle, we find them formed into a Heptarchy.

How regularly they mov'd as to Civil Affairs, how closely they followed their Country-Customs, or where they innovated and varied from their *German* Forms and Policy, in those dark Times, is hard to be traced.

Some Footsteps however appeared then, which remained to Posterity, as the Division of the Country into *Hundreds*, after the *German* Manner described by *Tacitus*; besides the other Royalties in the People, as that of appointing *Sheriffs*, and chusing Annual Magistrates, the Jurisdiction and *Power of Life* and *Death* by our *Juries*, &c.

And, even before all came united under one Monarch, we find the People interposing their Authority, and (for the Miscarriages of of Queen *Edburga*) providing that thereafter, *No Queen shall sit by the King, nor have the Title of Queen, but be called only the King's Wife.* *Gens itaque occidentalium Saxonum Reginam juxta Regem sedere non patitur, nec etiam Reginam appellari, sed Regis conjugem permittit, &c.* *Affer. Menev. & Mal.* But

I shall not repeat what *Cambden* and *Selden*, and our other Antiquaries have collected on this Occasion; but *Germany* being the Source both of our People and Laws, I chuse rather *petere fontes*: And thence it may be concluded how far we do *stare super vias antiquas*, and continue firm upon the old Bottom.

## S E C T. III.

*Of the German Empire: the Electors; the Encroachments of Cæsar, and the Golden Bull.*

When the People and Senate of *Rome* had transferred all their Right upon *Charles* the Great (or *Charlemagne*, as the *French* call him) and *Germany* was made the Seat of the Western Empire, one might think, if there could be an Opportunity of introducing a new Form of Policy, this was the Time. Yet *Charles*, so victorious, so august, so great, the like in no Age before him or since ever known on this side the *Alps*, notwithstanding all that Power and Fortune, and the Imperial Crown that adorn'd him, his Language was still the high *German*, and his Government did still in the old Parliamentary Way go on and prosper.

Therefore

Therefore we find him every Year with his Parliament. *Eginhardus*, who was his Son-in-law, and Chancellor, says of him. *Rex sic ad publicum populi sui conventum qui annuatim ob regni utilitatem celebrabatur, ire, sic domum redire solebat.* And *Aimoinus*, l. 4. c. 74. *Generalem Conventum quotannis habuit.*

And to these Parliaments, under GOD, so far as human Reason may judge, does *Hincmar* (Archbishop of *Rheims*, and Chancellor in those Times) ascribe his happy Reign. *Secunda divisio, qua totius Regni status anteposito, sicut semper, omnipotentis DEI judicio, quantum ad humanam rationem pertinebat, conservari videbatur, hæc est, consuetudo tunc temporis erat, ut non sæpius sed bis in Anno due placita tenerentur; unum quando ordinabatur status totius Regni ad anni vertentis spacium, quod Ordinatum nullus eventus rerum, nisi summa necessitas, quæ similiter toti Regno incumberebat, mutabat, in quo placito generalitas universonum majorum, tam Clericorum quam Laicorum, conveniebat; alterum cum Senioribus tantum & præcipuis Consiliariis.*

All this seems but a Paraphrase upon the Passage afore-cited out of *Tacitus*, as to the Form of Government: The *Princes* and *Seniors* are for the Matters of less Weight;

the former here-mentioned; was the *generale placitum*, which the Germans more particularly call, *Die jabrlicke versamblung*, the yearly Assembly; whose Business (he tells us) was *to order the State of the Kingdom*.

He shows us likewise how binding these their Ordinances were, and not to be contraven'd unless upon the utmost *Necessity*; not a suggested, invisible, Court-Necessity, but *quæ toti regno incumbabat*, a necessity that lay upon the whole Kingdom.

In effect, the Parliament *Ordered*, and he *Executed* their Orders; his Office was the Administration.

Amongst other Particulars, we find him in Parliament adjusting the Matter of *Succession*, as *Eginbard*, and the *Abbot of Staden*, *An. 813.* inform us, of which the Monk of *Paderborn*, *An. 813.*

*Unde Duces, ac Primores solemniter omnes  
Atque Magistratus, ad Concilium generale  
Undique collegit, Natoque suo Ludovico  
Cunctorum cum consilio jus omne regendi  
Tradidit Imperii, Successoremque paterni  
Imposito designavit Diademate Regni.*

And accordingly his Son *Lodowic* by *general Consent* of Parliament did succeed him;  
post

*post mortem patris Aquisgrani summo omnium  
Francorum consensu administrationem accepit,  
Anony. An. 814. de reb. gest. Pip. Car. &  
Lud.*

The same Author tells us, that this *Lodowic*, *Lotharium filium Primogenitum consortem Imperii constituere volens, Aquisgrani in conventu, more solito, instituto, eum coronavit.*

In like manner we have the Son of *Arnolph* chosen in Parliament to succeed his Father. *Regino, An. 900. Proceres & optimates ad Forachem congregati Ludovicum filium præfati principis, quem ex legitimo Matrimonio susceperat, Regem super se creant, & Coronatum, regisque ornamentis indutum in fastigio Regni sublimant.*

Nor was this done only out of Formality, and for the greater State and Solemnity on those Occasions; for we sometimes find them refusing to grant what the Emperor labour'd to obtain: Amongst other Instances, we have this last named *Arnolph*, *An. 894.* attempting to get the Parliament to make his Son *Zundelbolk* King of *Lorraine*. But they would not gratify him. *Filium Zundelbolk*, *An. 894. Ordinibus Convocatis Regno Lothoraii præficere voluit, minime tamen optimates prædicti Regni eâ vice ad sensum præbuere. Regino, l. 2.* But the next year

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year after he prevailed, says the same Author: *Anno vero sequenti in conventu Wormatiæ instituto, omnibus assentientibus id demum obtinuit.*

Hitherto these appear to be the same Germans, *Ubi Rex vel Princeps audiuntur Auctoritate suadendi, magis quam jubendi potestate:*

And, seeing that this of Succession, is one of those Points that are of greatest Importance, 'tis strange how the Right of Electing the Emperors came afterwards to be left in so few Hands, and to be settled in the Seven only, who, in course of Time got the Name of *Princes Electors.*

Neither the Occasion, nor the Time when this Custom began, can be discovered. Some would deduce it from *Charles the Great.* Some from *Otbo the Third*, who reigned about the year 990. Others from *Otbo the Fourth*, *An. 1200.* Others again from *Henry the Second*, who was Emperor, *An. 1001.*

From which Uncertainty we may only gather, that the Custom was very Antient: But it is not to be imagined that the other States by any public Act transfered the Right upon those *Seven.*

Amongst the Fallacies and Cheats of State, whereby the rich Men may impose upon the  
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the poorer Sort, and worm them out of all their Share in the Government, *Aristotle* reckons these: *That it be penal for the Rich to be absent from the Common Councils, to refuse being in Office, to want, or omit the Exercise of Arms, not to serve upon Juries, &c. But the poorer Sort may use their Discretion, it shall not be penal to them; they may chuse whether or no they will be present in Common Council, bear Office, be at the Charge of Arms and Training, be empannel'd upon Juries, &c.* In these Cases this specious Liberty fools and bewitches them: for, so long as no Restraint is upon them, and they are not excluded or slighted, or disrespected any way in the Matter, they rather follow their private Occasions at Home, and the Business of their Family; And thus by degrees insensibly is the Commonwealth and Government changed; And that is effected by Art and Trick, which openly and fairly could never have been brought to pass.

We need not think that the *Germans* were over-reached by any the like Sophistry and deceitful Laws; but 'tis likely, that to Many it was sufficient that it lay in their Choice whether they would act or no; and in that Security many sat down: Some could not conveniently spare Time from their Family; some were indifferent which way the World went;

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went; some could not part from their dear Delights, their Pots and their Hounds; and some staid at home, because they could not make that Shew, and appear in a Pomp and Equipage like their Neighbours. By Reason of these, and a many the like weighty Considerations, together with a general Degenerateness, Supineness, and Neglect of the Public, the Affairs of State became abandon'd, and shuff'd into a very few Hands; insomuch that few besides those now called the Seven Electors, made any great Figure, or much labour'd in that Sphere.

But those Seven were suffered from Time to Time by a silent Usurpation to manage all, till insensibly it grew into a Custom.

So that (under *Charles* the Fourth, when the Priviledges and Rites of every body came to be stated, and reduced by general consent into a standing Law) in the beginning of the *Golden Bull*, this Ministry of the Seven Electors is said to be *an ancient and laudable Custom*.

Some will have these Electors to be a Committee of the whole Empire, and that (there being one King, one Duke, one Marquess, one Count, with the Churchmen) all the several Orders in the Empire are represented by them; and consequently that

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that their Act is virtually the Act of the Empire.

But it seems more reasonable, that this Sort of Aristocracy sprung up to overtop the ancient more popular Government, by the Negligence or Inadvertency of the other Orders; who were satisfied in seeing the Emperor thereby effectually held within compass, and had no Care or Consideration farther.

For all their Fears and Apprehensions had risen from the Emperor, and, so be that they might be secured against his Encroachments and Oppression, they were content to set up those Electors, to oppose the Emperor, and stand as a Bulwark betwixt him and them.

And therefore by their free Act in the *Golden Bull*, they settle and confirm to the Electors that Prerogative, which no Prescription otherwise could have made just and authentic.

Above an hundred Years before, in the Church had the Government changed Face; an Aristocracy obtain'd, and the Election of the Pope ceased to be longer Popular.

About the same time, in *England* also, the old Laws and Policy ran a dangerous Risque from an Inundation of arbitrary Power,



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Power, that threatened to break down all the ancient Banks and Barriers.

For the *Normans*, having come amongst us, partly by Consent, partly by Force, puft up and wanton with their new Acquisitions and Swing of Fortune, they could not well be kept within Bounds: Now and then Speeches of Conquest and holding by the Sword, and the like Bug-titles, were bandied to and fro amongst the giddy Courtiers, with now and then a Sally and Inroad upon the People, trampling Property under Foot.

These Insolencies and Invasions kept the Nation awake, and put them upon their guard, to wait an Opportunity whereby their antient Rights and Customs might be reduced into Form, and solemnly recogniz'd by succeeding Kings in the *Great Charter*.

Thus was the Cockatrice crushed in the Egg; and an early Stop put to Arbitrary Sway in *England*; and the Government returned to its old Center of Parliaments again.

*Germany*, in this Juncture, lay most open and exposed: The Emperor, *Lord of the World*, and *Head of the Nations*, Successor to those *Cæsars* that had broken down all Forms and Fences, so that Liberty and Property lay waste every where before them.

These

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These owed all their Power to the *Sword*. The *Imperial Crown*, the *Lex Regia*, the whole Bulk and Body of the *Civil Law*, were wholly and entirely their own proper Creatures; and what more might be devised to make a Prince unlimited, uncontrolable, great and barbarous, and render him a *Cyclops* or a *Leviathan*?

But the Result was, the *Customs* and *Liberties* of the *Germans* were far more Antient and more *Sacred* to them, than any *New Song* that the *Civilians* could teach them.

Therefore all this long Rattle of Imperial Prerogative only alarm'd them, and made them provide the better for their Security:

And as their Danger was the most threatening, and arm'd with stronger Titles and Pretensions than in other Nations; so have they with more Care sought their Preservation: And the *Golden Bull* with them was framed, and had the same effect as *Magna Charta* with us; which they strengthen and make Supplements to, by new Capitulations upon occasion, according as the Emperors abuse their Power, or that Tricks are devised, by Colour of the Letter, to elude the honest Intention of that Fundamental Law and Constitution.

Thus

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Thus we see it true, in respect of Sovereigns, as well as of Subjects, That *evil Manners* are the cause of *good* and wholesome *Laws*.

## S E C T. IV.

*Of the French Government and Parliament.*

The *French* have no *Golden Bull*, nor *Magna Charta*; peradventure, because no King of theirs had those Pretensions of Conquest, as the *Normans* here; nor had that Imperial Title of the Sword, and the Civil Laws, as the *Cæsars*, to transport them beyond the Bounds of Moderation and Reason:

Which put them upon other Measures, and gave them Opportunity, step by step, sily, insensibly, and surely, to effect what more openly could never have succeeded.

As in the Fable, the Storm and Violence of the Wind could not force away the Traveller's Cloak from him; but the Sun coming silently upon him, dissolves him presently, makes him unbutton, and strips him of all.

Noise and Bluster make the People the more obstinate and tenacious. But Things remote affect them not. They never see  
Consequences,

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Consequences, nor lay aught to Heart that is not immediately present before their Eyes.

If any Thing, now and then, in the Course of their King's Reign, happen'd that was shocking, all was look'd upon as some personal and accidental Slip only, without Foundation for Continuance, or without giving Jealousy of being repeated to Posterity.

About an Hundred Years after *Magna Charta* was establish'd, was that Project of the modern Parliament in *France* set on Foot, to render unnecessary the antient Assembly of the States, and consequently to alter the Government.

But the *English* Arms gave Check to their wanton Career, and for a long time diverted them from pursuing that Design, or bringing it to any Head.

However, this new Assembly or Vice-Parliament was cultivated and improved daily: They assumed all the Power, they consulted and determined the weighty Affairs; and, in Case the King offered any Violence to the Laws, they encounter'd and oppos'd his exorbitant Courses; they laid before him his Coronation-Oath, and plied him with Remonstrance upon Remonstrance, till they brought him to Reason.

Neither

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Neither War nor Alliance could be made, nor could any his Edict or Command have Effect, till ratified and approved by them.

So that to the unwary Multitude these serv'd the Turn as well; these were as effectual and sufficient, and more ready and expeditious than the great old Parliament.

But afterwards came new-fashioned Kings to reign, who would not be overcome by Reasons or Remonstrances:

And yet then also, was a formal Compliance of this Parliament thought necessary; and, as an Expedient, when not satisfied in Conscience that an Edict ought to be ratified, was introduced that Clause, *Mandato Regis*; which imported, that they did not ratify such an Edict upon their own Judgment, but that they were overruled by the King's particular Command.

Afterwards again came the *Expresse Mandato*, and *expressissimo Mandato Regis*, according as they passed it with a greater Reluctancy, and greater Violence had been offered to their Judgment.

But *Henry* the Fourth, who had fought through all Opposition into his Kingdom, and had subdued to his Will all that had fac'd him in the Field, grew impatient, after so great Contrasts, to find his Resolutions

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tions cross, and contested by tame Gownmen; therefore, to rid himself at once of all those verbal Frays and Formalities, made a Law, that thereafter the King's Edicts should be ratified and *enologated* upon Sight, without more formal Trifling and Dispute.

Thus were those Remains of Sovereign Power, that had surviv'd in this diminutive Parliament, baffl'd and extinguish'd, without much Labour:

But, as they never possessed the Vigour and Spirit of the antient Assembly, the People were never so stupid to trust, or lay much stress on their Valour and Performance:

And therefore did more early show their Resentment; nor, without a general Convulsion and Civil War, could bear the Apprehension of a Court-Design to lay aside the old Parliament.

It was the Boast of *Lewis* the Eleventh on this Occasion, that he had *Mis la Royauté hors du page*. He had so ordered Matters, that the *Royal State* should be no more a *Pupil*; in him it came of *Age* to dispose Things, and act of its own Head, and should not need to be *tutor'd*, or be under a *Guardian* any longer.

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This

This was a Prince of a particular Humour, and of singular Endowments. It was no wonder if he did not like the Check of a Parliament; he had before attempted by two or three Rebellions to free himself from the Authority of his King and Father.

The good old King, *Charles* the Seventh, weathered the open Violence, but Fear of Poison overcame him; insomuch, that he durst neither eat nor drink any thing, but after five Days fasting died.

And now *Lewis* being King, his first Work was to clear the Court from all who serv'd his Father, and pack off all the Princes of the Blood, and antient Nobility, and to create a new Set of Nobles and Courtiers for his Purpose.

The People took the Alarm, and clamour'd for a Parliament to regulate Disorders, and prevent the Evils that threatned and hung over them. A Parliament! a Parliament! was the Cry and Expectation throughout the Kingdom.

The Bishop of *Paris* and Clergy, the Courts of Justice, and the City, (the Three Bodies of greatest Consideration and Gravity) presented to him their several Remonstrances.

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He (Dissembling being his Talent) took all kindly; and to break their Discontents, or divert them, took six Persons out of each of their Companies, to be of his ordinary Council; in Show only; for in Effect he was still the same.

And amongst the profligate Rabble about the Court, there wanted not in the mean time a Sort of Wretches who made an Hubbub, and, as formerly, declared their Detestation and Abhorrence of their Practices who had importun'd the King with their Remonstrances, and call'd it an unparallell'd Violation of their Duty. Nay, (*Philip de Comines* tells us,) the Courtiers went so far, that they call'd it *Rebellion* to mention a Parliament. Nor was it strange such Cattle should then be sheltered about the Court, when a *Mountebank* was set up for Lord Chancellor, *Taylors* and *Barbers*, (*Johan de Doyac*, *Olivier le diable dit le Dain*, &c.) the Prime Ministers of State.

This Jarring and Misunderstanding was followed by a Civil War, which was call'd *The Public Good*. This produc'd a Parliament. And this Parliament would no longer trust *Lewis*, single, with the Administration of Affairs; but appointed him thirty-six Commissioners, (*Curateurs*) to be his Assist-

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ants.

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ants. However, *Lewis's* Excellency lay in playing an After-Game.

In the War, he had sent to his Ally *Alexander Sforza* for Aid; who returned him Answer, That Men he had none to spare, but would give Advice which should be as effectual; so the *Italian* advis'd him, *Always to agree with his Enemies upon any Conditions, and then find the Opportunity to cut their Throats.* According to this, *Bodin* speaks of him, *Pacem inire coactus est, sed eos omnes clam aut aperte, paucis admodum exceptis, necandos curavit fratrem, quoque Carolum veneno.*

This is the Dexterity which *Comines* so much labours to gloss over, and set a Countenance upon; these the *Belles Actions*, and the *Finesse*, which the modern *French* so much celebrate at this Day: All is copied from this Original.

Perjuries and Poisons were his ordinary Arms, yet none so devout, none so superstitious, none made the like Largeffes to the Church: But his Masses and Pilgrimages did always portend some strange, horrid Murder about to be executed.

These were but personal Vices; his cajoling the Citizens, and affected Gallantry to their Wives, was Politic enough: But what prov'd most effectual to his Design  
of

*Government in Europe.* 37

of changing the Government, and excluding Parliaments, was his laying aside the Franc-Archers; who hitherto had been the Train'd-bands, and ordinary Militia of the Country.

In the War (call'd *The Public Good*) he found that those Franc-Archers (being Men of a settled Habitation, and Way of Living) took part with their Landlords and Neighbours against him; therefore from thenceforward he slighted them, and by Beat of Drum from Town to Town, gathered and listed such as voluntarily offer'd themselves to his Service.

These were then called *Adventurers*, because they fought their Adventure by the Fortune of War; as, afterward, when *Charles the Eighth* carried them over the *Alps*, they got the Name of *Soldiers*, from the *Sold* or Pay they received upon that Expedition.

But as this *Lewis* could not trust the *Militia*, so within a little Time he began to think himself not safe amongst his *Adventurers*: These yet were not remote enough from the Interest of their Country, and had some small Sense of its Oppression.

Thereupon, for the more immediate Guard of his Person, he takes into Pension

Four Thousand Switzers; and by that Establishment, seems to have completed his Design, and alter'd the old Parliamentary into a Military Government.

And now it was not so hard a Matter to borrow Money of the Citizens, and otherwise make those Levies which no King before him ever attempted.

Thus it was that he brought the Royalty *hors du page*; or, rather (according to the Paraphrase of their Historian *Mezeray*) *hors du sens & du raisonne*.

Though in *Germany* the Condition of their Parliaments is not altogether so deplorable and desperate; yet of later Times there have not wanted lusty Endeavours by Force and by Artifice to destroy them.

Right and Wrong are ever the same, but Times and Manners vary Faces very much. One while, instead of all other Penalty for a Crime, it was sufficient that the Law censur'd it with an *improbè factum*. To say, he that does so, or so, is to blame, was more effectual and coercive in those *Saturnian Days*, than are Racks and Gibbets with us.

*Radamanthus* his Way of administering Justice in all Causes between Party and Party, was by putting them both to their Oaths, and determining their Right accordingly.

*This,*

*This, says Plato, was a proper and ready Way in that Age, when every Body was possessed with the Fear of God. But, says he, this would not do, now in our Times, when some make it a Question, whether there be a God or no; others make a Doubt whether God regards what we do on Earth; most and the worst of Men have a Conceit, that tho' there be a God, yet they can pacify him with their vile Adulations, their Mummeries and their Masses; so that they may still be as wicked as they please.*

*Therefore, says he, when Men's Opinions are chang'd, the Laws also must be chang'd; for, otherwise, if our Judges now were to make Radamanthus their President, we should all be over Head and Ears in Perjuries.*

The like may be observ'd in relation to Sovereigns. In old Times, at first there was only a simple Confidence between them and their People; and never were Kings so reserv'd, as then when they had no Bounds.

Afterwards, the Misbehaviour of some Princes introduced that Check of a Coronation-Oath: And where That is the only Check, 'tis an Argument they had never yet been there tainted with the Atheism and Infidelity which *Plato* mentions; but had continually lived and ruled with that Simplicity and religious Fear, so memora-

ble in those Days, when *Minos* and *Radamantbus* were King and Chief Justice of *Crete*.

*Claude Seiffelle* reckons several *Refrains*, *Bridles* that curb the *French Kings*; but now when the old *Parliament* is obsolete, this would be remark'd upon, as a graceless, unmannerly *Metaphor* in their *refined Language*.

## S E C T. V.

*A Transition to the Republic of Venice; of the States of the Empire, their Power and Privileges, and of the Imperial Prerogative.*

In the State of *Venice*, at first their Prince was as absolute as any *Barbarian*; till having strayed, and given some Instances of humane Frailty, new Curbs and new Ties were devised for him; but the *Italian* prov'd still too witty to be held by any.

The *Venetians*, however, would not be dabbled withal; they would not suffer the Transgressor to rejoice long in his Extravagance, but pursued him with exemplary Punishment. *Sabellicus* reckons to the Number of Twelve that lost their Heads for slipping their *Bridles*.

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At length, when the *Venetians* found that neither the simple *Trust* was sacred, nor the *Coronation Oath* inviolable, nor the exemplary *Punishment* effectual, to contain their Prince within the Bounds that were consistent with a free People: They concluded, that the public Safety could not be sufficiently provided for, and secured against their Prince, till they stript him of all the Reality and Substance; leaving him barely the Formalities and Trappings, and empty Shadow of *Sovereignty*.

Now to come back to the *Germans*. Whatever Shifts other People have been put to, to maintain their Liberty, they (it should seem) never trusted the *Sovereignty* out of their own Hands; so that, whether it be a *mixed*, or what other Sort of Government you call it, the great Affairs were always reserved to be determin'd in *Parliament*; there was the *Supreme Power*, there was the *Majesty*.

Yet no People have been forwarder in adorning their Prince with all the Titles and Expressions of Greatness, and an arbitrary, uncontrolable Power than they.

All the Acts and Laws run in his Name, and are call'd *Cæsar's Laws*, and *Cæsar's Constitutions*.

Where the Emperor and the Empire are

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are named, he constantly has the Precedence.

In the public Ordinances and *Recesses*, every thing from him are stiled Precepts and Commands; from the States merely Obedience and Prayers, though he cannot wag a Finger without their Consent.

They every where speak of, and own in him a Fulness of Power *vollkommenheit*: And this they give also to the King of the *Romans* at the same Time; to shew the Emptiness and Vanity of it: As both are call'd Heads of the Empire, though the Latter has no Power at all, during the Emperor's Life.

They and all the World salute him by the Title of Imperial Majesty. And the *German* Style will not allow Majesty to any other Kings; *die Koniglicher Wurde*, not *die Koniglicher Macht*, the King's Worship, not Majesty.

Yet after all, *Aeneas Sylvius* says, in *Germ. c. 43. Imperatorem, & Regem, & Dominum vestrum esse fateamini, precario tamen ille imperare videtur, nulla ejus potestas est.*

The Shadow and Flourish only were in the Emperor; but the *Jura Majestatis*, the *Vis Imperii*, the Essentials of Majesty were always reserv'd and exercis'd by the common

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mon Assembly, as by the Particulars may more plainly appear.

I. One of the Rights of Sovereignty is to be above the Law, and to give Laws to the People.

Neither of these Royalties belong to the Emperor; he may be call'd to Account for violating the Laws. In the *Golden Bull*, the Forms and Proceedings against him are stated: 'Tis there said to be the *Custom*, and accordingly settled and agreed for Law, that the Electors may *impeach* the Emperor, in the Assembly of the States; and the Count Palatine of the *Rhine*, as Chief Elector, is to be the President or Judge.

For the Legislation, or making Laws, the Emperor proposes, the States are free which Propositions they will proceed upon. When an Act is to be passed, the Electors have six Votes, the Princes six, the Cities two, the Emperor has but one (the last) Vote. Without a Majority he can do nothing: They can decree without him if he is absent. The Ordinances are to be confirm'd by his Seal and Subscription; but if the States persist, he must of Necessity comply: Even *Charles* the Fifth in vain contested that Point, as may be seen in *Sleidan, l. 4.*

These



These Sanctions are regularly subscribed by *Cæsar*, and by some of the States for the Empire; and are enrolled (at *Mentz*) in the Chancery of the Empire. The several Members of the States are sworn to be true to the Emperor and to the Empire; and are said to be Subjects of the Emperor, and of the Sacred Empire.

2. In Matters of Religion, in all Times, the Head of the State had the Supreme Direction, as it was said of *Tiberius*, *Deum munere summum Pontificem summum hominem esse*: And the first Christian Princes, before the Papal Tyranny usurpt upon them, were always the chief Pontifs, and receiv'd the Pontifical Habit from that College.

But upon the Reformation in *Germany*, *Anno 1555*, both the Emperor and Pope were excluded, and their Pontifical Supremacy abrogated. In the Point of Religion, the Emperor was not consider'd as the Chief and Head of the Empire, but as a Party: for by joining himself to the *Roman Catholics*, he made their Cause and Concern his own: It was therefore agreed and concluded, That the States only should determine in Matters of Religion; and that with a tender Hand, in an amicable Way only.

3. War

3. War and Peace are transacted in the Name of the Emperor; but in Effect, all is reserv'd to the States. He must at the least have the Consent of the Electors.

Yet any Prince of the Empire may levy Soldiers, may make Leagues and Affociations without any Body's Leave.

4. For Jurisdiction, and the last Appeal, the Civilians say the Emperor is *Fons omnis Jurisdictionis*; but here it is far otherwise.

The Princes, in Causes touching their Life, their Honour, or their Fee, always claim'd their Privelege *das fursten-recht* (they call it) to be try'd by their Peers the Princes of the Empire.

The common Pleas were tried by the Emperor, and attended his Motion, till by the Increase of Suits, that Judicature was no longer sufficient, the Judges grew Corrupt, and many other Inconveniencies appearing, the States in their Assembly at *Franckfort*, *An. 1489*, ordered a Place certain for the Decision of those ordinary Causes; whereupon the Imperial Chamber at *Spires* was erected.

All the Proceſs and Decrees of the Court ran in the Emperor's Name, and are under his Seal; and it is call'd *Cæsar's Court*: But it is also call'd the Court of the Empire.

The

The Emperor only named the President; by the States were the Rest of the Judges appointed; and the other Officers of the Court by the Elector of *Mentz*, Arch-Chancellor of the Empire.

The States likewise execute the Sentence. They visit and reform the Court by their Commissioners; and to these Visitors are the Appeals, not to the Emperor.

Yet some voluntary References that were made to the Emperor and his Privy-Council, and to their Arbitration, gave them Opportunity of late to usurp a Jurisdiction.

5. Taxes are all levied in the Emperor's Name; but in Truth, nothing of that Nature can be done without the Assembly of the States: Nor is the Emperor trusted with the Money in his Exchequer; the States keep it till it be employ'd; they have their several Treasuries.

Sometimes the several Circles keep their respective Money; sometimes a public Treasury is agreed upon, and one or more *Pfenning-Meisters* (Penny-Masters) appointed. *Anno* 1495, they ordered seven Treasurers, one to be named by the Emperor, and six by the States. These swear to the States. And if any be, by special Oath or Obligation, bound to the Emperor or other particular State, he is incapable of that  
Trust.

Trust. These are accountable to the States only.

If the Occasion for which the Tax was rais'd be taken away, the Money cannot be diverted to other Uses, but by the Consent of the States.

6. The chief Magistrates are, none of them, made by the Emperor. The Count Elector *Palatine* is Vicar or Protector of the Empire, and has the Charge of it in the Emperor's Absence. The Three Ecclesiastical Electors, who are chosen by their Chapters, are of course the Arch-Chancellors of the Empire. The States appoint the (*Reichs-Skak-Meister*, or *Reichs-Pfenning-Meister*) the Treasurer of the Empire. Sometimes they leave the General to be nam'd by the Emperor, and the ten Circles appoint their several Directors or Council for him.

For the other Particulars, as the Inspection and Care of Coining Money, the hearing and sending Ambassadors, &c. the Emperor has no great Matter of Advantage above the other States.

On a common Account, where the Concern is general, the States must be consulted; and nothing can be done without their Consent and Approbation.

The

The Electors are in Possession, and exercise a particular Sovereignty in some Points of greatest Moment. They are the Trustees and Representative of the whole Empire, in their Election of the Emperor. And hereupon they undertake likewise to loosen his Power, or tie it up short; and make what Capitulations they please with him: And thereby would assume to themselves more than the other States will ever be content to allow them.

But the Emperor singly, besides the Name, and Poms, and empty Titles, has very little of the substantial Sovereignty entrusted with him.

The *Investiture* of the great *Fiefs* belongs to him: This is a Prerogative, goodly in Show, and were of Moment, could he lay any Conditions or Charge on the Person invested; but nothing is left to his Will; he cannot deny, nor delay the lawful Heir. Nor does the Fee for Want of Heirs escheat to the Emperor, but to the public Patrimony.

He grants *Privileges*, where a third Person or the Public is not injur'd.

He founds Universities, grants Fairs, makes Denizens, &c.

He creates Kings, Princes, Dukes, Marquisses, Counts, Poet-Laureats, Doctors, &c.

He

He gives only the bare, titular Honour of Prince, but not the Qualifications; he cannot make him capable to sit and vote amongst the other Princes of the Empire.

So that here the States are not subject to that Imposition which the *Roman Senate* once suffer'd under *Tarquinius Priscus*, who created an hundred new Senators, to the End he might be sure of a Court-Party, by his Creatures, and have a Majority of Votes in the House.

In short, the *Germans* seem to have observ'd the Rule in Politics, That he who is the most high in Name and Dignity, should in real Power be the least considerable.

Yet, in the last Age, the States gave way to several Innovations, which prov'd of mischievous Consequence afterwards.

#### S E C T. VI.

*Of the Regiment or Diet of the Empire; with a short Retrospect to the Parliament of France; and Panegyric upon that of England.*

It had antiently been the Custom for the Assembly of the States, to send for the Emperor to come to them upon Occasion; so *Hincmar* tells us of *Charles the Great*, *Rogatu ipsorum in Concilium veniebat, quotiescunque*

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*tiescunque voluntas esset ut ad eos veniret; similiter quoque quanto spacio voluissent, cum iis consisteret, &c. Ep. 3. c. 35. Upon their Message to him, he came to the Assembly, as often as they had a Mind he should come to them; and in like manner he stayed so long with them as they desired, and this Custom continued, as may be seen in *Lehem. l. 7. c. 80. and c. 115.* till under *Maximilian*, and then the States began to go to the Emperor.*

This *Maximilian* likewise, upon Pretence of sudden Occasions that admitted not delays, would, now and then, be acting *single*, and usurping in several Particulars the Power that of Right could only be exercised by the *States*.

Therefore the States, *An. 1500*, to take off these Pretences, and prevent all Attempts of this Kind, and partly, peradventure, for their own Ease, substituted in their Absence a *Committee*, which they call'd the *Regiment*, and the Members *Regents*. This *Regiment* was an Epitome of the whole Empire, and was endued with all the Powers and Sovereignty accordingly.

It consisted of twenty Persons, who were chosen out of the several Orders of the States, and took an Oath *to be true to the Emperor, and to the Sacred Empire.*

The

The Emperor, or his Proxy, was their President; but, lest this might give too great Advantage to the Emperor, an Elector was added, as a Joint-President with the Emperor, or his Proxy.

No Person of Dependance on, or particular Obligation to, the Emperor, was capable of being a Member.

The Emperor had no more Vote than any one of the *Twenty Regents*; nor could determine aught, unless the Majority were for him.

These were not simply to consult, but had the Execution also.

This Constitution held for some Years; and then the *Annual Assembly* returned, and resumed their Power, and acted again: But, in case of sudden Necessity, left another Expedient for the Emperor. They constituted for him a Counsel consisting of Eight Persons, Four chosen by the Electors, and Four by the other States. These were sworn to be true to the Emperor and to the Empire, *Scweren der Keyserlichen Majestat und dem heiligen reichs getreu, &c.*

But *Charles* the Fifth coming to Reign, he went upon the new Model immediately: He restor'd the *Regiment*, but made the Conditions altogether different.

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Now it consisted not of Twenty, but Twenty-two Persons: He as Emperor would have Two Votes added, thereby in effect to be Master of Five Votes; Two as Emperor, One as President; One for *Austria*, and One for *Burgundy*.

The former *Regiment* might, according to the old Custom, send for the Emperor to come to them: Now it was order'd that *Cæsar* might call them to what Place he had a Mind.

Formerly, if the Emperor came not, they might proceed without him; now, *Charles* the Fifth forbid them to make Leagues and Alliances, or do aught in his Absence: The Oath was alter'd, and the Members were only sworn to the Emperor, and said to be the Counsel of the Emperor; whereas the former was called the Counsel of the Empire.

In the former Constitution, the Elector in the Name of the Empire subscribed their Ordinances; here, with the Elector's Subscription, is joined that of the President, in the Name of the Emperor.

In short, the former was constituted by the States, and entrusted with their Power, to be a Check upon the Emperor; this was formed by *Cæsar*, to quiet the People, and entertain them with a Show; whilst he the

more

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more insensibly made his Advances to invade their antient Rights, and usurp all the Power into his own Hands.

The next Project in Case of Emergencies, was the *Assembly* of the Deputies. This consisted of the six Electors, six other Princes, and two Cities; to which were after added four Princes more. This continued till *An. 1606.* with some Effect: Afterwards it prov'd of little Consequence, Court-Artifice prevailing; and the *Ferdinands* found a Way to manage the *Deputies*, and render them as unprofitable to the Public, as *Charles* the Fifth had made the *Regiment*.

The second *Ferdinand* called what *Deputies* he knew would vote for him; the rest he excluded, and supplied their Place with others, who he understood were entirely at his Devotion; as he told my Lord *Digby*, Ambassador with him, *An. 1621. Lundorp, Tom. 2.*

Amongst these Projects, may be mentioned the Counsel of the Emperor's Court, and the Privy-Counsel. These also, that they might show as if the Empire had their Interest in them, were at the first sworn to the Elector of *Mentz*, as Arch-Chancellor of the Empire: Which Oath came, after some Time, to be omitted.

E 3

Thus

Thus we have seen that the Custom of the Empire was to have a yearly Assembly; these, at the End of their Session, always appointed the Time and Place for their next Meeting. If there was Necessity for them sooner, then was the Emperor to call an Assembly extraordinary; which happening frequently, the States for their Ease appointed the *Regiment*, and other Expedients.

This gave a Precedent for the Emperors to devise something of the like Nature, which they might more easily pervert to their own arbitrary Interest and Advantage: If it have but the Name or Resemblance, the People look no farther; they see not into the Trick and Secrets of it; they are led by the Appearance so long, till they are past Recovery, and no Way is left them for a Retreat.

And indeed the Emperors of the last Age ceased to deal *bonâ fide*; the old *German* Honesty wore out of Fashion: And they no longer treated on the Square with their People.

Artifice and Juggle came in Place: and in the Days of *Charles* the Fifth, began to get a specious Appellation, and be named (forsooth) *Reason of State*.

But more especially, since the Jesuits there, have refined upon the Court-Sophistry, and

and minc'd away all the old Remains of Morality and Conscience; for the Jesuits could the worst of all others, endure these same *mix'd Governments*.

They would have the *Pyramid* inverted, and the whole Stress of Things rest upon one single Leg, that their Art might play the more freely, and they the more cleverly trip it down: This broad-bottom'd Monarchy and Government, founded on the People, puts them to other Measures; a Dose of Poyson, or consecrated Dagger, will not do the Work: They must here go about and about, make slow Approaches, ripen a Plot of many Years, and draw a long Concatenation of Intrigue, e'er they can think to compass their Design.

When the Commonwealth has but one Neck, the Jesuit will have it under his Girdle; if not, one Blow does the Feat, and his Dexterity is admirable:

Therefore in *Germany* the Jesuits have left no Stone unturned, for their Part, to bring all the Sovereign-Power from the States to the Emperor: And to that End, of late Times, the Emperor (whether by their Influence upon his Councils or no, is not our Enquiry) has employed all the undue Practices, and set all Engines at work,

to render the Public Assembly useless, burthenfome, and odious to the People.

On this Foot, Care has been taken, that some vexatious Tax should be the only Result and Conclusion of every Session: *Aid against the Turk* was a constant, perpetual Pretence; Money the Head of all his Proposals; Money the Effect and Substance of all his Speeches: This Affair once adjusted, other Debates were out of Doors; Grievances not then longer to be touch'd upon, but all adjourn'd to another Session; besides the mischievous Devices to embroil the States amongst themselves, and turn all their Heat upon fruitless Disputes and Altercations.

In the second Place, the Electoral College have not been too fair in their Respects to the Diet: These could be content, that betwixt *Cæsar* and themselves, all the Matters of State be transacted; and have sometimes, accordingly, stretched a Text of the *Golden Bull* to serve a Turn, and colloqued with him, that he again might be complacent to them; till that, amongst them, the public Patrimony and common Right and Prerogatives of the Empire became engrosfed in a few Hands, and made a Spoil to their unreasonnable Ambition.

These

These Electors must, every one, under his Hand and Seal, signify their Consent to the Emperor, before he can summon an Assembly of the States.

They got to themselves the Making of the Emperor; and now, in effect, the States cannot meet without their Order.

They were wont to be reckoned six Electors; to some Purposes seven; now they make eight; but before they fill up the Number of the *Roman Decemviri*, they will do well to remember their Fate. The Ten (as *Livy* tells us) having got all the supreme Authority, for a Time, into their Hands, that they might reign absolute, took an Oath together never to call the *Senate* or *Council*; yet their Tyranny held not; this Cheat would not down with the *Romans*; but with a general Consent they broke over the Forms and the Spirit of the Letter: For, according to the Law in *Homer*,

*Ἐὶς ὄϊον θεῖος ἀναυτῶν*

to free their Country they executed an *unuscarra* upon these ten Usurpers, as some Body there

Lastly, The States are now wanting to their former their so antient

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tive : One principal Cause of which (amongst many others) has been their Differences about Religion.

For the Protestants being sure to be outvoted in the Diet, think they can barter with *Cæsar* for better Conditions, and are therefore well enough content that the yearly Assembly be neglected.

In a Word, the *German* Diet is still on Foot, rather encumbered, and clogged, and puzzled, than destroyed.

The Parliament of *France* seems quite antiquated and subdued; the Ghost and Shadow of the Defunct has appeared three or four Times since *Lewis* the XIth; but to revive that Assembly in its full and perfect Vigour, requires a Miracle like the Resurrection.

So that, in effect, we may date the Demise of the Parliamentary Sovereignty in *France*, from *Lewis* the XIth; and the Decay of that in *Germany* from *Charles* the Vth.

It is in *England* only, that the antient, generous, manly Government of *Europe* survives, and continues in its original Lustre and Perfection.

Were there not something in that Saying of the Emperor *Maximilian*, that the *French King is a King of Asses*; yet, however,

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ever, that same *Legereté*, on which the *French* so value themselves, is but, in plain *English*, a Lightness of Humour, by the which they are easily piped into a new Mode of Government.

But our *English* Ancestors have always been of a more steady Principle, more wise, and more weighed, than to dance after their Politics.

The Reformation of Religion leaves no room at our Court for Jesuitical Infection, so fatal to the *Germans*.

Nor, on the other Hand, have we yet had any *Swiss* Guards, or *Lewis's* for our Kings: Ours have still been true *English* Original, no Copies of the *French*.

*Magna Charta*, instead of being superannuated, renews and recovers its pristine Strength, and athletic Vigour, by the *Petition of Right*, with our many other explanatory or declaratory Statutes: And the *annual Parliament* is as well known to our Laws, as ever it had been famous amongst the Customs of *France* and *Germany*.

I have not formally answered many Objections that might be started; nor much regarded the single Instances of some Historians, and perhaps may be judged lame in several Particulars that I have slighted.

Take



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Take all together, you may as easily find an Answer, as raise a Scruple: But the Short of what I would have said, is,

You are not to expect Truth from an *Historiographer Royal*; it may drop from their Pen by Chance; but the general Herd understand not their Business; they fill us with Story, accidental, incoherent, without End or Side, and never know the Government or Policy where they write.

Even the *Records* themselves are not always accurately worded.

The *Stile* of the *Court*, and a Form of Words, imposes upon many: *Names* are taken for *Things*, Ceremonies for Essentials.

The *Civilians* are Vassals to a *Foreign Jurisdiction*; *Cæsar*, the *Sword*, the *Military*, *Imperial* (or rather *Imperial*) Discipline, is to them for Scepter and Civil Policy: The *Germans*, Anno 1441, were for excluding them from all Offices, and Places of Trust. *Limnæus*, l. i. de jure publ.

Our common *Lawyers* are for comparing and measuring by their Rule, what is antecedent and above their Rules and Comparisons.

Christ's Kingdom is not of this World; nor ought the Divines *πραγματευειν*, to meddle in this *Political Province*.

S E C T.

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## S E C T. VII.

*Of the Necessity of Parliaments; with a Transition to the Constitution of England.*

In the general Notion, Monarchy or Kingly Government is the most easy, and most excellent; But Corruption coming into the World, neither the Sons of *Jupiter*, nor the Sons of *Hercules*, found Perfection entailed upon them; nor were exempt from their Share of humane Frailty. Many (says *Tasso*) are servants by Fortune, who are naturally Princes; some again, though descended from an hundred Kings, are yet born to be Slaves; and (maugre all their high Race of Royal Progenitors) will be commanded, and governed, and managed by a Minion, or a Mistress. These are, really and indeed Slaves; but are not judged such, because the People, who only look on the Outside, judge of Men's Conditions, as in Plays, where he is call'd a King, who, clad in Purple, and glistening with Gold and Gems, goes personate Agamemnon: if he does not represent him well, he has the Name of King nevertheless; only 'tis said, *The King was out in his Part, or The King acted his Part scurvily.*

And

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And *Flavius Vopiscus*, in *Aurel. Cæs.* tells us, *Aurelius Cæsar dicebat, Colligunt se quatuor aut quinque, atque unum Concilium ad decipiendum Imperatorem capiunt; dicunt quod probandum sit; Imperator, qui domi clausus est, vera non novit, cogitur hoc tantum scire, quod illi loquuntur; facit iudices quos fieri non oportet; amovet a republicâ, quos debebat retinere, quid multa? ut Dioclesianus ipse dicebat, Bonus, cautus, optimus venditur Imperator.*

*Aurelius Cæsar* was wont to say, *Four or Five get together about the Emperor, all their Consult is, how to cheat him; what they say is to be Law; the Emperor, who is shut up from other Council, never knows the true State of Things, but is forced to understand just so much only as they tell him; he makes Judges, who the least of all should be; turns out of Commission those who ought to be the Quorum; in a Word (according to Dioclesian's Saying) the Emperor, so good, so wary, and so too too Good, is bought and sold before his Face.*

If then it be true, that he who is of Royal Extraction, clad in Purple, and called a King, is not always naturally such; it was Wisdom, certainly most seasonable, to find the Means that might correct, and (as it were) ensure *Nature* against the Impotence

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potence and Tyranny of the Minion or Mistress which *Tasso* mentions.

And if the Observation of *Aurelius Cæsar* be just, that *Cabals* are so pernicious; and that four or five Persons, who get the Prince into their Hands and Possession, shall abuse, and cheat, and betray him to his Face, in spite of all his Goodness, his Caution, and Royal Virtues; if, I say, these Things be true, the Necessity of Parliaments cannot be disputed: *Homer*, as before observ'd, reckoned it *Barbarity* in the Degree remotest from all Things of God and Goodness, and a *Cyclopean Presumption* to rule without Parliaments.

Old *Hesiod*, in his homely Way, gives an Ænigmatical Reproof to those Kings that would be grasping all, and be so absolute,

Δήπιοι ἔδ' ἴσασι ὄσω πλέον ἡμισυ πάντος,  
ἔδ' ὄσον ἐν μαλάχῃ τε καὶ ἀσφοδίῳ μεγ' ὄνειρα.

as if he had said, *These Fools know not, how much more the Half is than the Whole; and that a Shoulder of Mutton, with the Love of the People, is more worth than the Ragousts, and the Hautgousts, and all the French Kick-shaws whatsoever.*

*Plato* tells us, that even in *Asia*, they who performed any great Achievements, or enlarged the Empire, were those (as the  
grand

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great Cyrus for Example) who slackened the Intemperance, and admitted the People to a Share in the Government.

But such as *Cambyses*, who, against all Sense and Reason, stretch'd and strutted upon the *τὸ δεσποτικὸν*, the *Lordly* Domination, brought all again into Confusion and Ruin.

Amongst the Latins, even the Founder of the *Roman* Name, *Romulus*, because he took upon himself an arbitrary Power, to rule without the Senate, they (it is thought) tore him to Pieces; insomuch, that they left nothing of his Body for a Spectacle to the Rabble; as afterwards their Successors unluckily did, who kill'd *Cæsar*.

The Imperial Power that began with the *Cæsars*, was only *Magnum Latrocinium*, one huge, horrid Oppression. Military Government, Martial Law, barbarous Nations, *Goths* and *Vandals*, over-ran, and made Havock of the old Civil *Roman* Empire.

In *Britain*, *Gaul*, and *Germany*, all this while, Liberty, and a Participation in the Government, was the common Right and Inheritance UNALIENABLE; the *Common-Council* was the Basis and Hinge, however the Administration roll'd.

Afterwards,

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Afterwards, when *Germany* gave us People, it gave us a *German* and a *Free* People.

About *An. Dom.* 800. *Charlemagne* (or *Charles* the Great) united *France* and *Germany* under one Head, and one Empire: all Histories are full of his Reign and Actions: he rul'd *more solenni, secundum morem*, in the old Customary, Parliamentary Way, every where.

The Nations round about submitted and took Laws from him; and he submitted all again to the (*ordinatum*) the Ordinance of Parliament. An *Annual Parliament* was then reckoned the Custom, and inviolable Right of the People:

And thus the Affairs of State proceeded; and this Scheme of Government continued in *Germany*, till the late unhappy Divisions about Religion, weakning and embroiling the States, gave Way to the *Austrian* Ambition, new Projects, and Jesuitical Artifice; so that the Assembly of the States, at this Day, keeps on foot (indeed) but sick, heavy, and unweildy.

The *French* Court had much sooner learn'd the Terms *de proprio Motu, & potestate absolutâ*, by their neighbourhood and correspondence with the Pope at *Avignon*: But so long as the *English* Arms  
F kept

kept them in mind of their Mortality, it was no Time for them to think of Ruling without a Parliament.

But when *Charles* the Seventh had sent home the *English*, *Lewis* the Eleventh, with (*Olivier le diable*) his Barbers, and his cut-throat Devils, thought no Attempt too wicked for them. He (forsooth) was *hors du page*; he wanted not to be *led*, he was past an *Infant*; and a loud Out-cry he made against the unmannerly, clump-fisted, bumpkin Parliament. But when the *bien Publique*, or War for the Public Good, hindered him from bringing about his Design openly and directly, he compass'd it, in effect, by slighting the *Militia*, and laying his Project of a standing Army.

In *England* we have also heard of Minions, and Mistresses, and Cabals; and have had unhappy Princes: But the Laws and old Customs of the Land, the Generosity of the People, and the *Genius* of the Nation, have still Prevailed, and been too strong for all their Practices and Machinations.

When the *Normans* came to the Crown, after some Years of Ease and Prosperity, they began to forget on what Conditions they had entered. *Conquest* was a short, a compendious Title, and without Intricacy.

And

And now likewise the Church-Men were every where agog for changing the Government both of Church and State, into absolute Monarchy. But the best on't was, the Pretences were visible and notorious. Besides that the Temporal and Spiritual, the Prince and the Prelatical Lord could not agree who should be Supreme. Which Differences gave Breath to the People, and put into their Hands an Opportunity to assert their antient, just Rights, and bottom all upon the Parliament again.

And now, since the *Great Charter*, and *Petition of Right*, and the many other Declarations, what can threaten us?

Neither the *Gunpowder* Treason, nor the late more *Sacred* Invention of a *Pensioned* Parliament, could take Effect.

NO ROOM IS LEFT AMONGST US FOR A STANDING ARMY, which enslaved the *French*. And (our *Franc-Archers*) our *Militia*, continues after the old Model.

Nor, with us, as in *Germany*, is the *Papist* like to bear up against, and balance our *Protestant* Votes in Parliament; thereby to render the Constitution uselefs and unpracticable.

And it may be hoped, we shall never so far give Way, and be gull'd by Jesuitical Artifice, to find *another division* in Religion

amongst us; that may favour their Designs, and, under *other Names*, do their Work as compleatly.

You need not be caution'd to distinguish *Plato the Divine*, from *Plato the Philosopher*. Poets and Divines, you know, have a particular Way of Expression, and give their Thoughts a Turn different from that of other People. They attribute every Thing to God; though the whole Operation and Train of Causes and Proceedings be never so natural and plain before their Face: the Images they make are often taken in the grossest Sense, and worshipped by the Vulgar; and many times the Statesman is willing to contribute to their Idolatry. Hence it comes, that for the *Persians*, *Zoroaster* was said to receive his Laws from *Horomasis*; *Trismegistus* for the *Ægyptians*, from *Mercury*; *Minos* for the *Cretans*, from *Jupiter*; *Charondas* for the *Carthaginians*, from *Saturn*; *Lycurgus* for the *Lacedemonians*, from *Apollo*; *Draco* and *Solon* for the *Athenians*, from *Minerva*; *Numa Pompilius* for the *Romans*, from *Ægeria*; *Xamolxis* for the *Scythians*, from *Vesta*; and all these as truly, as *Mahomet* had his *Alcoran* from the Angel *Gabriel*.

This Sort of Doctrine went current enough whilst Monkery and Ignorance sat  
in

in the Chair; but now, in an Age of History and humane Reason, the blind Traditions go hardly down with us: So that *Jure Divino* at this Day makes but a very litigious Title.

Nor is it consistent with the Brevity of a Letter, to observe minutely how long the Remains of the *Roman* Domination continued amongst us; as, namely, That the *Roman* was the only authentic Language for judicial Matters in *Germany*, till the Reign of *Rodolph* the First, about the Year 1287, in *England* till *Edward* the Third, in *France* till *Francis* the First.

But in Church-Affairs, that old Mark of Slavery is not yet worn off: the spiritual Emperor will remit nothing, he still holds his Vassals to the *Roman* Tongue even in Divine Service; only in *England*, and where the Reformation has prevailed, this, with the other Appurtenances of *Roman* Bondage, are no longer necessary.

Nor is it proper in this general Draught to reflect on all the several Steps, and little Dispositions to Change, in each Nation. As how sometimes a Practice has prevailed against the Form and Letter; sometimes the Form of Words has been necessary, but the Practice obsolete. The Use in Commissions of the Phrase, *Pour enjouyer tant*

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*qu'il nous plaira*, was not known in *France* till *Lewis* the Eleventh tried its Virtue; which occasioned their Parliament, *An.* 1467, to ordain that notwithstanding the Clause *tant qu'il nous plaira*, Offices should not be void, save only by Death, Resignation, or Forfeiture; as *Pasquier* in his *Recherches* informs us.

## S E C T. VIII.

*Of the Three Estates; and finally of King-Craft, or Tricks of State.*

But, peradventure, since it has been so much controverted of late amongst us who are the *Three States*, and the Word occurring so frequently in the *German* Tongue, you may expect some Account who they be that have the Name of *States* in *Germany*.

They express the Word *States* in their own Language, and call them *Stands*, and *Reich-stands*, because, says *Goldastus*, the Empire stands and rests upon them, as upon its Basis and Pillars. *Status Imperii dicantur, quod in illis, ceu membris, id est, basibus & columnis, ipsum Imperium stet & subsistat.*

Those

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Those are said to be *Stands*, who have the Right to sit and *Vote* in the common Assembly of the Empire. *Hi quidem status, Reichs-stands appellantur, ideo, quod statum & locum votandi & sedendi in Comitibus Imperii habent; hanc quippe unicam & propriam quasi notam, status ab aliis Imperii subjectis seceruntur, Arumæus, c. 4. de Comitibus.* So that all the Question is, How many several Ranks, or distinct Orders there may be of these *Stands*?

From *Polybius*, we have had a particular Account of mix'd Governments, where he calls those that represent the Monarchical, the Aristocratical, and the popular State, *τρία μέρη τὰ κατ'ἄντα τῆς πολιτείας, the Three governing Parts of the Commonwealth.* So the King, the Senate, and the *Ephori* at *Sparta*; the Consuls, the Senate, and the Tribunes at *Rome*, were there, the *Three States*, and had each their particular Shares in the Government.

The like seems to have obtain'd in *France*, under the Names of the King, the Peers, and the *Third State*: Nor did the Power of the Clergy, how great soever otherwise, make any new distinct Order, but they were mixed and included with the other States, as their learned Archbishop *Claude*

F 4

*Seiffelle*

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*Seiffelle* in his Treatise of the *French Monarchy*, shews us.

In *Germany*, how the Government has been shared, and who have had a Right of *Voting* in old Times, we may learn from what has before been cited out of *Tacitus*; the *Rex*, the *Principes*, and the *Omnes*, denote the *Three States*, who had their several Shares, and Right of *Voting* in the Government.

The same Distinction continued still under the Western Empire. *Hincmar*, at the yearly Assembly, or *generale placitum* under *Charlemagne*, does comprehend all under the Terms of *Seniores* and *Minores*; so that the Emperor, the *Seniors*, and the Commons, seem to have then been the *Three States*.

*Senior* (which the *Germans* expressed in their *Ealdermen*) we may suppose, was a Word which grew current in the *Provincial*, or vulgar *Roman* about that Time; and afterwards was diversified into *Sieur*, and *Sire*, and *Sir*, and *Monsignior*, and *Monsieur*, and was ordinarily applied to Men in great Office. *Cum Seniore urbis nunciata fuissent, &c. Seniores loci illius, &c. Nihil per me feci, nisi quæ mihi, a Dominis nostris & Senioribus Imperata sunt, &c. Tempore Senioris nostri, &c. ex parte Senioris mei Caroli, &c.*

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*Ec.* These, and the like Passages, in *Gregory Turonensis*, may shew the Extent of the Word, and that the *Seniores* in *Hincmar*, were the same with the *Principes* in *Tacitus*: Nor did the *Signiories* become hereditary till *Otho* the First his Reign.

But what most affected the Government, and proved of greatest Consequence in this Affair, was the Innovations that happened in *Frederic* the Third's Time; for, whereas, formerly, a Proclamation was wont to be issued out for summoning the Assembly, whereupon, *Delecti ex singulis Civitatibus*, says *Aymonius*, from every Town and City were chosen the Burgeses and Citizens to go their Representatives to the Assembly, Now, so many griev'd at the Charge, and neglected the Proclamations, that oftentimes the Assembly could not proceed for want of a competent Number of Members; wherefore *Frederic* let the Proclamations alone, and, instead thereof, sent particular Letters to the several Towns; and, henceforward, none took themselves obliged to attend, who had not Letters directed to them: Many of the poorer Towns were glad to be excused, and private Gentlemen left off going; so that, within a little Time, the Government was brought into a few Hands, and every Day rendered less and less popular.

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lar. Those Cities that preserved their Share in the Government, and Right of *Voting*, by continuing to send their Representatives to the Assembly, are now therefore call'd *Imperial Cities*.

Altho' the Electoral Princes had a Name much sooner, yet were they still one and the same State with the other Princes, till under this *Frederic*, in the Dyet at *Frankford*, Anno 1489, they parted, and became a particular Assembly, and voted severally, and from that Time got the Name of a distinct State, and form'd a new Sort of an Aristocracy by themselves.

Yet all this while the Clergy did never set up for a separate Order in the Commonwealth, but always made a mix'd State with the Laity; mix'd they are in the Electoral State, and mix'd in that of the Princes, where the *Geistlicher* and *Weltlicher*, Ghostly and Worldly (as they call them) together with the Counts, Barons, and other Gentlemen, make but one State. They have indeed a particular Bench (*die geistliche Bank*) to sit upon by themselves; save that the Arch-duce of *Austria*, and Duke of *Burgundy* only sit upon it above them.

Now, whether we fix our Notion of the *Three States* upon the Doctrine of the Antients, as delivered by *Polybius*; or call them  
the

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*the States*, who have a *Right of Voting*, the Emperor is clearly one of the *States*: Nor is it material, that the ordinary Stile and Form of Words seem to imply the contrary; for if the Saying, *Emperor and the States*, argues the Emperor himself to be none of the *States*, by the same Reason the Form so frequent in their *Recesses* or public Ordinances, *chur fursten, fursten, und Standen*, that is, Electoral-Princes, Princes and States, will exclude the Electors and the other Princes also, from being either of them *States*.

The Form *Emperor and States*, does no more prove him to be none of the *States*, than with us the Saying, *King and Parliament*, does imply, That the King is no Part of the Parliament.

I shall not trouble you with the Disputes, what were the Bounders of *Anstrasia* and *Newstria*, or whether by the Devolution of this Western Empire, *Germany* was added to *France*, or *France* to *Germany*; or, whether more properly, *Charlemagne* be to be reckoned amongst the *French* or the *Germans*: His having been born at *Ingelsheim*, as most affirm, or at *Carolsburg* in the Upper *Bavaria*, as many believe; and his speaking the *German Tongue*, with this Testimony of *Eginhardus*, viz. *Mensibus juxta patriam linguam nomina imposuit; cum ante id tempus*  
apud



*apud Francos, partim Latinis, partim Barbaris nominibus appellarentur, Januarium appellavit Wintermonat, Februarium Heubmonat, Martium Lenkmonat, &c.* These, &c. are urged by the Germans, as no more Arguments: But these Matters concern not our Enquiry.

If you cannot reconcile the Emperor his being somewhere said to be *Sacri Imperii Minister*, and elsewhere declared to have no Superior, *Nisi Deum & Ensem*, but God and the Sword; *Bartolus* tells you, *De verbis non curat jureconsultus*, The Intention is to be regarded before the Words: The Intention of the States in that Declaration, *An. 1338*, was none other than to exclude the wild Pretensions of the Pope; to deny a Foreign Jurisdiction, not to confess or introduce any new Subjection in Themselves: *Limitata ex certâ causâ confessio non nisi limitatum producat effectum.*

But I cannot conclude without some reflection on these Frauds *a la mode*, the *Ruse* and *Finesse*, which the French so loudly boast at this Day. *Lewis* the Eleventh would not have his Son learn more Latin than *qui nescit dissimulare, nescit Regnare*. The old Romans had another Sort of Spirit; we are told in *Livy*, *Hæc Romana esse. Non versutiarum Punicarum, neque calliditatis Græcæ—*

*Græcæ—apud quos fallere hostem gloriosius—dolo quam virtute: 'tis like a Roman, to deal openly and roundly; not to practice the Carthaginian Leger-de-main Tricks, or Græcian Cunning, whose Glory is to circumvent; and by Fraud, not Virtue, overcome an Enemy.*

The *Venetians* at this Day are commended for the same Style. *Il procedere veramente Regio regli affari publici, il negoziare saldo, e libero, e senza artificio, O duplicita; non Masquerato, non finto, ma sincero, e del tutto alieno da ogni dissimulazione e fallacia.* Their Proceedings in public Affairs, (says our Author) is truly Royal; they negotiate upon the Square, frankly, and without Artifice, or Double-Dealing, not disguised, or upon the Sham; but sincere, and every Way far from all Dissembling and Tricks.

And indeed the *bugie* and *inganni*, and little *Italian* Shifts, would better become Duke *Valentine* and the petty Princes, than any Kingdom or Commonwealth of true Strength and solid Reputation.

The *σοφισματα* and the *προφθοειαι*, the Sophistries and State-Pretences of this kind, however furbish'd up, and gloss'd over of late by our Politic Brokers, were all stale Cheats, and worn out even in *Aristotle's* Time.

Thus

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Thus have I hinted Matters to you, and only touch'd upon Heads, without anticipating your Reflections and Applications. I have not treated you like a Stranger, but as one thoroughly Informed, beforehand, and to whom all those Difficulties are familiar, which I can only discover at a Distance. And after all, I must fly from your Judgment, to your good Nature.

*I am, &c.*

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**D E T E C T I O N**  
 O F  
 Such Concessions as have been made  
 T O  
**KINGS *and* MINISTERS**  
 B Y T H E  
**PARLIAMENT of *England.***

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INTRODUCTION.

**I**T is manifest, That Parliaments have been the Basis of all the *Gothic* Governments, from remotest Antiquity; That hitherto no other Expedient hath been held so effectual to keep the Rage of Prerogative within due Bounds, and that they are to be traced by their Ruins, in *Germany, France, Spain, &c.* at this Day.

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But then it is manifest likewise, from those Ruins, that, thro' the Craft and Perfidy of Kings, the Degeneracy of Mankind, and the Extinction of that noble Spirit which accompanies Liberty, they are liable to be shook with Storms, and to become the Prey of their own Corruptions.

In *England* however, it seems, they have been able to maintain their Ground both against Fraud and Force; and, as we are told by the noble Author before us, bid fair to be incorruptible and immortal.

Such, and so happy, without Question, appear'd the State of Parliaments in this enviy'd Nation to him: He had seen many glorious Effects of their Power and Virtue, but Few of their Weakness and Corruption: Had their Meetings been necessary, not dependent on the Grace of the Crown, he had pronounced us wholly out of the Reach of Danger; for when Parliaments met, Grievances us'd to vanish, and Aids to the Crown, were the Means of Grace to the Subjects—Would to *God* this was still the Case! But alas! tho' our Constitution wears as fair an Outside as ever, it is not altogether so sound at Bottom; and while we admire its Beauty, we tremble for its Foundation.

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In order, therefore, that we may know whether it is indeed founded on the Rock of Ages, or if the Ground already sinks from under it; whether we have Reason for our Fears, or our Fears have depriv'd us of our Reason, Let us take Truth for our Guide, and endeavour to ascertain its real Condition; by pointing out what Breaches are already visible, and what others are to be apprehended: whence Posterity will be taught, That if we cou'd not repair, we at least, gave Warning.

S E C T. I.

*Of the Petition of Right, and Triennial Bill.*

**I**N the latter End of *March* 1628, the *Petition of Right* was brought in; which had for its Foundation *Magna Charta*, Six other Statutes, Twelve Precedents in Term, and Thirty one more: notwithstanding which, the King, first by the Lord-Keeper, and then by Two Messages, endeavour'd to evade the passing it into an Act, tho' he acknowledg'd the said Statutes to be in Force: The Lords, likewise, at a Conference, labour'd, tho' in vain, to slip in a Salvo, *not to infringe the Sovereign-Power,*

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and when it was presented to his Majesty by both Houses, his Answer was, *Let Right be done according to Law; and the Statutes be put in due Execution.* But this did not give Satisfaction: notwithstanding which, the King signify'd by Message, he would not alter his Answer; but on the joint Petition of both Houses for one more satisfactory, held it advisable to pass the Bill after the usual Form. *Soit Droit fait comme il est desiré.*

With such Difficulty was this most reasonable Act carry'd, even by this enterprising Parliament, who had already resolv'd, at the Instance of Sir *Thomas Wentworth*, afterwards Earl of *Strafford*, *That Grievances and Supply should go Hand in Hand together;* and tho' the enacting Clauses were simply these that follow.

*That no Man hereafter be compell'd to make or yield any Gift, Loan, Benevolence, Tax, or such like Charge, without common Consent by Act of Parliament; and that none else be call'd to make Answer, or take such Oath, or to give Attendance, or be confin'd, or otherwise molested or disquieted concerning the same, or for Refusal thereof. And that no Freeman, in any such Manner, as is before mention'd, be imprison'd or detain'd. And that your Majesty will be pleas'd to remove*  
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*the said Soldiers and Mariners, and that your People may not be so burdened in Time to come. And, that all Commissions for proceeding by Martial Law, may be revok'd and annull'd; and that hereafter no Commissions of like Nature may issue forth to any Persons whatsoever, to be executed as aforesaid, lest, by colour of them, any of your Majesty's Subjects be destroy'd or put to death contrary to the Laws and Franchise of the Land.*

But, notwithstanding this spirited Parliament had Weight enough with the Court to carry their Petition into a Law, the King so far resent'd their subsequent Attempts to obtain a more effectual and comprehensive Redress of Grievances, that he dissolved them without even requiring the Attendance of the Commons, whom he stigmatized in his Speech, as *undutiful and seditious*, and for TWELVE YEARS after, never summon'd another.

In the Thirteenth Year however, his Majesty's Wants got the better of his <sup>1640.</sup> Prejudices, and Parliaments were again brought into Play; but without the desir'd Satisfaction either to the King or the Nation: The First being abruptly dissolved after it had sat but three Weeks and one Day; and the Second as absurdly render'd perpetual in Effect, by the King's parting with

his own Power of dissolving it, unless with the Consent of both Houses.

As the Nation had smarted so severely by the long Disuse of Parliaments, it was but natural, that, when the Time would permit, they should endeavour to prevent the like Grievances for the future: accordingly the \* Triennial Bill, (which was pass'd

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\* In the Debate upon this Bill, the Lord *George Digby*, afterwards Earl of *Bristol*, thus express'd himself.

' It hath been a Maxim among the wisest Legislators, that whosoever means to settle good Laws, must proceed in them, with a sinister Opinion of all Mankind; and suppose that whosoever is not wicked, it is for Want only of the Opportunity. It is that Opportunity of being ill Mr. Speaker, that we must take away, if ever we mean to be happy, which can never be done, but by the Frequency of Parliaments.

No State can wisely be confident of any Public Minister's continuing good, longer than the Rod is over him.

Let me appeal to all those that were present in this House at the Agitation of the *Petition of Right*: And let them tell themselves truly, of whose Promotion to the Management of Affairs do they think the Generality would, at that Time, have had better Hopes, than of Mr. *Noy*, and Sir *Thomas Wentworth*; both having been at that Time, and in that Business as I have heard, most keen and active Patriots, and the latter of them, to the eternal Aggravation of his Infamous Treachery to the Common-Wealth be it spoken, the first Mover, and Insister to have this Clause added to the *Petition of Right*, ' That, for the Comfort and Safety of his Subjects, his Majesty would be pleas'd to declare his Will and Pleasure, that all his Ministers should serve him according to the Laws and Statutes of the Realm.'

And yet Mr. Speaker, to whom now can all the Inundations upon our Liberties, under pretence of Law, and the late Shipwreck

*Feb.* 15, 1640-1. and which provided that a Parliament should be held in *England* every Third Year, and that the Lord-Keeper and Chancellor of the Duchy should be sworn to issue the Writs, or in Default to lose their Places,) was made Use of, as a just and wholesome Expedient to answer this salutary End; but agreed to by his Majesty, with the worst Grace in the World; since he more than hinted, That it was a Favour, which they little deserv'd.

Upon which Occasion Mr. *May*, the Parliament-Historian, expresses himself with much good Sense as follows:

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Shipwreck at once of all our Property, be attributed more than to *Noy*, and all those other Mischiefs whereby this Monarchy hath been brought almost to the brink of Destruction, so much to any as to that *Grand Apostate* to the Commonwealth, the now Lieutenant of *Ireland*?

The first I hope *God* hath forgiven in the other World; and the latter must not hope to be pardoned it in This, till he be dispatch'd to the other.'

Let every Man but consider those Men as once they were.

The excellent Law for the security of the Subject enacted immediately before their coming to Employment, in the contriving whereof themselves were principal Actors.

The Goodness and Virtue of the King they served, and yet the high and public Oppressions that in his Time they have wrought. And surely there is no Man but will conclude with me, that as the Deficiency of *Parliaments*, hath been the *Causa Causarum* of all the Mischiefs and Distempers of the present Times; so the frequency of them is the sole Catholic Antidote that can preserve and secure the Future from the like.'

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'It is observable in the Course of Histories, how much Kings, in such limited Monarchies as that of *England*, do in Time, by Degrees, gain upon the People's Rights and Privileges: That those Things which, by Constitution of the Government, the People may challenge as due from the Prince, having been long forborne, become at last to be esteem'd such Acts of extraordinary Grace, as that the Prince is highly thank'd for granting them.'

'Such was the Case of this Triennial Parliament Bill, as both Houses, afterwards, when the unhappy Division began, and the King upbraided them with this Favour, could plainly answer: *That it was not so much as by Law they could require; there being two Statutes then in Force, for a Parliament once a Year.*'

It is not my Design to wade thro' the mighty Controversy between this unhappy Prince and his People, or to expose the Encroachments made on one Side, or the Insincerities practis'd on the other: As all, at last, ended in Anarchy; and the *Petition of Right*, and the *Triennial Bill*, were the only solid Advantages, except the abolishing of the *Star-Chamber* and high *Commission-Courts*, which remain'd to the  
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Common-wealth at the Time of the *Restoration*, I shall pass the Gulph at once, and resume the Constitution as I find it, when that great Event took Place.

## S E C T. II.

*Of the Parliaments held during the Reigns of King Charles II. and James II.*

The People return a Representative <sup>1660.</sup> on a Republican Basis, that Representative admit the Lords to their antient Share in the Legislature, and both Houses in Conjunction, in the Instrument they set forth, for the Proclamation of the King, tacitly renounce the Right of Approbation, if not Election, reserv'd to the People in the Coronation-Ceremony, by a solemn Declaration of his Majesty's hereditary Right without Reserve; and afterwards, with more Generosity than Policy, invite him to take Possession of the Throne, without Conditions or Limitations, which seem only to have been thought of, in order to be rejected.

It must, however, be remember'd to the Honour of this Parliament, that, tho' the whole Nation was in a Manner become Courtier at once, and scarce any Concessions to the Prerogative would then have

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been held too extravagant, they, nevertheless, did not proceed to settle the \* Revenue on one Hand, without deriving some Advantage to the Public on the other; as is evident by their Stipulation for abolishing the *Court of Wards* and *Liveries* in lieu of a † Grant of 100,000 *l. per Ann.* Nay, that the important Port of *Dunkirk*

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\* Which was advanced to 1,200,000 *l. per Annum*, tho' that of King *Charles I.* amounted to no more than 895,389 *l. communibus annis.*

† The iniquitous Use which was made of this Grant may be seen in the following Quotation from a Pamphlet publish'd by Mr. *Hampden*, Anno 1692.

Soon after the Restoration of King *Charles II.* the House of Commons express'd a Desire, as their Predecessors had often done, to take away the *Court of Wards*, and they had long Deliberations how to settle upon the Crown a Recompence for it; many Ways were propos'd (as is usual in such Cases) but at last it was thought best to lay it on Land; and they agreed the Sum to be 100,000 *l. per Ann.* and appointed a Committee to settle an equal Rate upon every County towards it. This wou'd have procur'd another great Advantage to the Nation, and especially to the associated Counties and others, that are over-tax'd in the Monthly Assesment, by bringing in a just and equal Way of Taxing all the Lands of *England*, according to their true Value. The Committee, in pursuance of the Order of the House, having taken great Pains in settling a new Rate, at length agreed upon one, and reported it to the House, and it is entred in the Journal. But while they were taking all these Pains, the Court was privately informed, by some self-designing Men, that it would be of much greater Advantage to them, to get a Grant of the Excise upon Beer and Ale, since the Value of that was unknown; and they assured them, that it would amount to a Sum

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*kirk* was not for ever annex'd to the Crown of *England*, was no Fault of theirs, since they sent up a Bill for that Purpose

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Sum vastly beyond what the Parliament intended them in lieu of the *Court of Wards*. These Men encourag'd the Court to undertake this Work, and promis'd their Assistance and Endeavours for the Success of their Proposal: Hereupon the Court resolv'd to push for the Settling of the whole Excise, and by threatenng privately the Members of that House with a Dissolution; and by giving to some considerable Places, they got a Question put, to settle one Moiety of the Excise (which had been invented and rais'd on evident Necessity, in the Time of Civil War, and not granted longer than a few Months) upon the Crown in Fee, in lieu of the *Court of Wards*, and the other Moiety on the King for his Life. The former Part, to give the Moiety in Fee in Recompence of the Wardships, was carry'd in the Affirmative, tho' in truth, it was the giving 300,000 *l.* a Year for one, for which that House is justly blam'd, and will be so, as ill Husbands for the Kingdom, and unfaithful to their Trust. A great Parliament-man, late deceas'd, undertook to make out, it was the giving away the Barley-Land of *England*. The other Part, *viz.* to give the other Moiety for Life (as much as that House was influenced by the Court) was first carry'd in the Negative, which enrag'd them to such a Degree, that, the next Day, a Message was sent to the House, to let them know they were to be dissolved a Month after. This was a strange and unusual Message; they might have been quickned to dispatch public Bills, and told, the Session would be but short; but the Message, as sent, put Men throughout the Kingdom on supplanting them. If the Members staid in Town (and go they could not without Leave of the House) their several Interests in their Counties, were endanger'd. If they went down, the Settling the Excise, for Life, might be carry'd in their Absence. This was the Dilemma the Court had brought 'em to, and accordingly it was granted before that Session ended.

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pose to the House of Lords, where Ways and Means were found to put a Stop to its farther Progress; *Dunkirk* being look'd upon as a marketable Commodity, which might be either pawn'd or sold for ready Money at any Time.\*

Parliaments are like Silk-Worms; having spun their Thread, and laid their Eggs, they die: Thus even *This* which had done so much for his Majesty, was dismiss'd at the End of its second Session, having subsisted but eight Months upon the Whole; and a new One was prepar'd, which it was presum'd would be yet more favourable to those Court-Embrios, which in the Fulness of Time, were to be brought to Light.

1661. Accordingly, the House of Commons, which in the Convention-Parliament had been compos'd principally of *Presbyterians*, had now as large a Majority of Bigots to the Church, who, in their first Session, to manifest their Zeal, restor'd the *Bishops*, by Bill, to their Seats in the House of Peers, from whence they had been excluded ever since *February 1649*;

\* An Event which soon after took Place; as did likewise the King's Marriage with a Princess of *Portugal*, and both as far as it appears, without the least Censure, Complaint, or Notice of Parliament.

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and, in Evidence of their Loyalty, by an express Act, under the plausible Title of guarding against Tumults and Disorders, upon Pretence of preparing and presenting Petitions, provided, That the Subject's Right in that Particular, should no more become formidable to the Crown, by limiting the Number of Hands that such Petitions should be signed by.

The Reverend Fathers of the Church, thus restored to their Power in the State, in the very next Session, took Advantage of the Tide which was now turn'd so strongly in their Favour, and enter'd into Measures with the Court, for rendering Monarchy and Episcopacy alike impregnable for the Time to come; of which the *Corporation, Militia, and Uniformity* Bills, were the Foundations: For by the Two first, no Person could be admitted into any Place of Power and Trust, Civil or Military, without taking an Oath; That it was not lawful, upon any Pretence whatever, to take up Arms against the King, and that he did abhor that traitorous Position, That Arms may be taken by his Authority against his Person, or against those commission'd by him: And by the last, every Clergyman was saddled with the same Oath; and also obliged to submit his Conscience to  
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the Law, and profess to *believe* as he was taught. In the Preamble to the *Militia* Bill, it was moreover declared, That all Military Power was wholly in the King, and that both or either of the Houses of Parliament cannot, nor ought not to pretend to the same: And, that his Majesty might be arm'd at all Points, his liberal Commons made him a Compliment of 1,200,000 *l.* to be disposed of as he pleas'd; and laid the *Press*, for a certain Term of Years, under the arbitrary Dominion of a *Licenser*.

They likewise offer'd Ten *per Cent.* for Money to be advanc'd to the King by Way of Loan; and his Majesty try'd his Credit with the Public accordingly; but, notwithstanding the Largeness of the Interest, found such insuperable Difficulties attending the Project, that, at his own Request to the Commons, it was laid aside: Indeed so great was the National Discontent already become, that, as we are told by Bishop *Parker*, a Deputation was sent from the Commons to the King, with Complaints, That they had received Letters and Messages from almost every County, concerning an *Universal* Conspiracy against the Kingdom, &c.

Upon so yielding a Parliament,  
1662. however, the King, with good Reason,  
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son, presum'd he might try what Practices he pleas'd: In the Recess, therefore, his Majesty took upon him to dispense with the *Act of Uniformity*, under Pretence of shewing *Indulgence* to the *Dissenters*, but in Reality to pave the Way for a *Toleration* in Favour of *Papists*: But in this particular the Commons adhered to the Bishops against the King, and refus'd to enable him to do by Law, what he had ventur'd to do without: But nevertheless *sweeten'd* him with a Grant of Four Subsidies, and by a new Bill, strengthened his Hands yet farther with Regard to the *Militia*.

All this Access of Power to the Crown had been granted freely, not exacted, within the short Space of Three Sessions: But all this was not enough; and his Majesty, wanting to have his Hands yet more at Liberty, at the Opening the Fourth, expresses himself as follows:

'Some wou'd still insist upon the Authority of the Long Parliament, of <sup>1664.</sup> which they say they have Members enough willing to meet: Others have fancied to themselves, by some Computation of their own, upon some Clause in the Triennial Bill, that this present Parliament was at an end some Months since; and that for want  
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of new Writs, they may assemble themselves, and chuse Members for Parliament: And this is the best Expedient to bring themselves together for their own Purposes. For the Long Parliament, You and I can do no more to inform and compose the Minds of all Men; let them proceed upon their Peril. But methinks there is nothing done to disabuse them in respect of the Triennial Bill. I confess, my Lords and Gentlemen, I have often myself read over that Bill; and tho' there is no Colour for the Fancy of the Determination of this Parliament, yet I will not deny to you, that I have always expected you would, and even admired you have not consider'd the wonderful Clauses in that Bill, which pass'd in a Time very uncareful for the Dignity of the Crown, or Security of the People. I pray, Mr. Speaker, and you Gentlemen of the House of Commons, give that Triennial Bill once a Reading in your House; and then, in God's Name, do what you think fit for me, and yourselves, and the whole Kingdom. I need not tell you how much I love Parliaments: Never King was so much beholden to Parliaments as I have been: nor do I think the Crown can ever be happy without frequent Parliaments. But assure yourselves,

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selfes, if I did think otherwise, I would NEVER SUFFER a Parliament to come together by the Means prescribed by that Bill.'

These Instructions were not disputed but obey'd; the People were to be every Way disarm'd; and, to mortify them yet more, by their own Act and Deed: But, lest I should be thought to aggravate the Features of these Court-Implements, let us have Recourse to their own Sentiments, deliver'd by the Mouth of their own Speaker, Sir *Edward Turner*, at the Close of the Session.

' The first Thing we took into Consideration, was the Act made in the 16th of the late King, of glorious Memory, for Triennial Parliaments: When we had given it a Reading, we found it *derogatory* to the *essential Prerogative* of the Crown, of Calling, Holding, and Dissolving Parliaments: We found it unpracticable, and only useful to learn the People how to *rebel*; therefore we melted it down, extracted the pure Metal from the counterfeit and drossy Allays, and then presented it to your Majesty to be new stamp'd, and made current Coin for the Use of the Nation. We do return our most humble Thanks to your Majesty,

Majesty, that you were pleas'd to accept our Advice, and to pass our Bill: but more especially for those gracious Expressions your Majesty was pleas'd to use at that Solemnity, whereby we are assured not only of your personal Affection to Parliaments, but of your Judgment also, That the Happiness of the Crown consists in the Frequency of Parliaments. In the next place we review'd the Act for Chimney-Money, which we intended a great Branch of your Majesty's Revenue, although by some Mistakes it is fallen short: And, in hopes your Majesty may improve that Receipt, we have prepar'd a Bill for Collecting that Duty, by such Officers as your Majesty and your Successors shall from time to time think fit to appoint.'

' Whilst we were intent upon these weighty Affairs, we were often interrupted by Petitions, and Letters, and Motions, representing the unsettled Condition of some Counties, by reason of Fanatics, Sectaries, and Nonconformists: They differ in their Shapes and Species, and accordingly are more or less dangerous; but in this they all agree, they are no Friends to the Establish'd Government either in Church or State. And if the old Rule be true, *Qui Ecclesie contradicit, non est pacificus*, we have  
great

great Reason to prevent their Growth, and to punish their Practice. To this purpose we have prepared a Bill against their frequenting of Conventicles, the Seed-plots and Nurseries of their Opinions, under Pretence of religious Worship. "The first Offence is made punishable with five Pounds, or three Months Imprisonment, and ten Pounds for a Peer: The second Offence with ten Pounds, or six Months Imprisonment, and twenty Pounds for a Peer; but the third Offence, after a Tryal by a Jury, and the Tryal of a Peer by his Peers, the Party convicted shall be transported to some foreign Plantation, unless he lays down a hundred Pounds." *Immedicabile Vulnus Ense rescindendum, ne Pars sincera trabatur.*

The fifth Session produc'd nothing remarkable beside the Grant of Twenty-four Hundred Thousand Pounds, in less than *Twenty-four* Hours after the House met, as it was quaintly signify'd by the Speaker to the King, in Compliance with a Court Scheme for a War with *Holland*: But in the next Session held at *Oxford* (by way of Sweetener for the Declaration of Indulgence) the Church was compli-<sup>1665.</sup> mented with the famous *Five-Mile Act*, and

an Attempt was made to impose the famous *Non-resisting* Oath, before quoted, on the whole Nation; which miscarry'd, by what was then call'd a Providence; for Mr. *Peregrine Bertie*, being newly chosen, was that Morning introduced to the House by his Brother, and Sir *T. Osborne*, afterwards created Earl of *Danby* and Duke of *Leeds*, who all three giving their Votes against the Bill, it was, by those three Votes only, thrown out.

Hitherto the Parliament had obeyed the King's Pleasure in all Things, except the Affair of the Indulgence; but in the seventh Session, the Lords joining with his Majesty in an Attempt, to annex the Taking and Settling the Public Accounts to the Prerogative, the Commons voted it to be Unparliamentary, and tho' the King now ventur'd to treat them more cavalierly than ever he had done before, at once maintained their Temper and their Privileges.

In some of the following Sessions, the Two Houses continued at Variance, and the King did not find his Affairs go altogether so smoothly thro' the Commons; but, at length, having gratify'd them with Penal Laws against *Dissenters* on one Hand, and *Papists* on the other, they became again so tractable

tractable as to give him whatever Subsidies he ask'd; insomuch, that even the Lords took the Alarm, and thought it adviseable to interfere; lest the Representatives of the People should at once beggar their Constituents, and render the Upper House *Vox & præterea Nihil*.

But, tho' they had been hitherto induc'd to fleece the People thus unmercifully, they still kept a Guard on their own Rights; insomuch, that, when the Lord Chancellor *Shaftesbury* had taken upon him to issue out Writs for filling up the Vacancies of the House, which ought to have been done by an Order of the House to the Clerk of the Crown, they immediately vacated those Writs, and expell'd the Members which had been return'd by them: They likewise took the Alarm at the King's Declaration of Indulgence, set forth during the Recess, and by their vigorous Remonstrances, oblig'd him to cancel it: After which, justly apprehending that *Popery* was even at the Doors, they took some Steps in favour of the *Dissenters*, (whom they had hitherto treated more as Enemies than Brethren) presented one Address against *Popish* Recusants, and in another laid before his Majesty a State of the Public Grievances.

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It was in their Eleventh Session, that they thus recollected the great Ends for which they were chosen; and in their Twelfth, continuing to act upon the same laudable Principles, they address'd against the Duke's second Marriage with a *Popish* Princess, and voted Standing Armies, *French* Alliances, and evil Counsellors, to be Grievances; for which they were punish'd with an abrupt Prorogation.

But this did not deter them from <sup>1673.</sup> resuming the same Pursuit at their next Meeting, when they proceeded vigorously against the whole CABAL, voted the King's GUARDS to be Anti-constitutional, and, to their immortal Honour, prepar'd and pass'd the *Habeas Corpus* Bill, to preserve the Person of the Subject from the Power of the Prince.

From hence to the End of the Eighteenth Session, when they were dissolved, the Majority continued firm to the true Interest of the Nation; of which *Echard* himself could not forbear inserting the following remarkable Testimonial, from the Authority of Sir *William Temple*:

“The Constitution of the present House of Commons, that had sat near seventeen Years, was now more manifestly grown  
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into two Parties, which were call'd by the Name of the *Court* and the *Country*: The Former were grown numerous, by a Practice introduc'd about five Years before this Time, by the Lord Treasurer *Clifford*, of downright buying off one Man after another, as they could make the Bargain. The *Country* Party still continu'd the Majority, and retain'd more Credit upon the Corruption of the others, and their Profession of Adherence to the true Interests of the Nation, especially in the Points of *France* and *Popery*: Where these came in question, many of the Court Party voted with those of the Country, who then carried all before them; but whenever the Court appear'd to fall in with the true Interests of the Nation, especially in those two Points, then many of the Country Party, meaning fairly, fell in with the Court, and carried the Votes; as they soon did upon the King's Pretence to grow bold with *France*, and resolve upon a War, if the Peace was refus'd.”

I have been thus particular as to the Transactions of the Long Parliament, both in Correspondence to my general Design, and likewise to rescue its Memory from the Brand fix'd upon it in the Lump, by

the Word *Pensionary*; which hath ever since been annex'd to it; but which belongs, in my humble Opinion, much more remarkably to some of their Successors, who have scarce the Merit of one Negative on a Ministerial Proposition, or one Affirmative in Compliance with the Voice of their Country, to plead in Arrest of Judgment, or Mitigation of Punishment. But of this more when Time shall serve.

That this Long Parliament, how-<sup>1675</sup> ever, was not accus'd of Corruption without Reason, is plain from the following Test, which was not only propos'd, but enter'd in the Journals of the House, (tho' never pass'd into a Vote) as a wholesome Expedient to preserve the Innocent, and reflect double Infamy upon the Guilty.

*" I A. B. do protest before God, and this House of Parliament, that, directly nor indirectly, neither I, nor any for my Use, to my Knowledge, have, since the first Day of January 1672, had, or received any Sum or Sums of Money by ways of Imprest, Gift, Loan, or otherwise from the King's Majesty, or any other Person by his Majesty's Order, Direction or Knowledge, or by Authority deriv'd from his said Majesty, or any Pardon, Discharge, or Respite of any Money due to his said Majesty*

*Majesty upon Account, or any Grant, Pension, Gratuity, or Reward, or any Promise of any such Office, Place or Command, of or from his Majesty, or out of any Money, Treasure, or Estate, of or belonging to his Majesty, or of, from, or by any foreign Ambassador, or Minister, or of, or from, or by any other Person in the Name, or by the Appointment, or with the Knowledge of his Majesty, or any of them; otherwise than what I have now in Writing faithfully discover'd, and deliver'd to this House, which I have subscrib'd with my Name: Neither do I know of any such Gift, Grant, or Promise so given or made since the said Time to any other Member of this House, but what I have also inserted in the said Writing; nor have I given my Vote in Parliament for any Reward or Promise whatsoever. So help me God, &c."*

We have likewise a List of Twenty-<sup>1679</sup> seven Pensioners by Name, together with their Allowances, as also a Record, that Charles Bertie, Esq; had a Patent for disposing of 20000 *l. per Ann.* Secret-Service-Money out of the Excise; to which ought to be added, a Declaration in Parliament of Sir Robert Howard's, Auditor of the Exchequer, That in two Years Time the said Mr,

*Bertie* had receiv'd 252,467 l. 1 s. 9 d. on the same Account.

Besides all which, Mr. *Marvel*, in one of his Letters, declares, that Apostate Patriots were bought off, (when the King's Debts were to be saddled on the People) some at Six, others at Ten, one at Fifteen Thousand Pounds in Money, besides Offices, Lands, and Reversions to others; so that it is a Mercy, says he, they gave not away the whole Land and Liberty of *England*.

The three subsequent Parliaments held in the Reign of King *Charles II.* cannot be accus'd of temporising with the Views of the Court; on the contrary, they are perhaps liable to blame, for being Righteous over-much; for insisting too rigidly on the *Exclusion-Bill*, and refusing the Project of Limitations, so frequently offer'd by the Crown, and which, with right Management, might have put an End to Faction and establish'd Liberty for ever. But it is the Curse of Mankind, to love to be of *the Outside of Enough*, as SHAKESPEARE somewhere expresses it, and by grasping at too much, to lose all.

For the only Parliament held by <sup>1685.</sup> King *James*, tho' they stretch'd their Complaisance rather too far, in granting him

him the Revenues enjoy'd by his Brother, (which he had already enter'd upon without waiting for their Leave,) and taking his *Royal Word* for the Security of the *Church of England*, it cannot be said they ever lost Sight of the true Interest of the Common-Wealth; since they refus'd to countenance his arbitrary Measures, tho' practis'd upon by all the Arts that Policy could devise, and were therefore punish'd with a Dissolution.

## S E C T. III.

*Of King William's Parliaments.*

To treat of the Omissions of <sup>1688.</sup> Parliaments would be an endless Work: but, when we are to speak of the *Convention*, summon'd by the Prince of *Orange*, how can we help expressing our Amazement, notwithstanding, that they did not keep his Highness a little more strictly to his *Declaration*; that, in their Instrument of *Rights*, they had not an Eye to the Corruption prov'd upon the House of Commons in the Reign of King *Charles II.* that no Expedient was propos'd and insist'd upon, for the annual Redress of Grievances, and that they should mention  
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the Necessity of *frequent* Parliaments, without a single Clause to provide that they should be *frequent*, or even specifying what they meant by the Term?

But the Sins of these express *Conservators* of the *Liberties* of their Fellow-Subjects were not of Omission only: for, in a few Days after they had made a Present of the Crown to the *Deliverer*, on the Conditions express'd in the *Declaration of Rights*, they not only wink'd at an Infraction of it, by the new King's seizing certain suspected Persons, but complimented him with a Suspension of the *Habeas-Corpus* Act; the first, which had obtain'd since the passing that excellent Bill into a Law; and, thereby set a Precedent, which hath been brought into Use, again and again, in our own Times, and may hereafter, be made Instrumental to our utter Ruin.

However, let the whole Transaction speak for itself.

The House having been put into  
1688-9 good Humour, by a Signification of his Majesty's Pleasure, that they might, if they pleas'd, relieve the Subject from the Grievance of Hearth-Money, Mr. *Hampden* acquainted them, That he had a Message from his Majesty, as follows 'That his Majesty hath had credible Information, that there are  
several

several Persons in and about this Town, that keep private Meetings and Cabals to conspire against the Government, and for the Assistance of the late King *James*; That his Majesty has caus'd some of these Persons to be already apprehended and secur'd, upon Suspicion of High-Treason, and that he thinks he may see Cause so to do by others, within a little Time: But that his Majesty is between two great Difficulties in this Case; for that, if he should set those Persons at liberty that are apprehended, he would be wanting in his own Safety, and the Safety of his Government and People: On the other hand, if he should detain them, he his unwilling to do any Thing, but what shall be fully warrant'd by Law, which he has so often declar'd he will preserve: And that, therefore, if those Persons should deliver themselves by the *Act of Habeas Corpus*, there would be another Difficulty; That his Majesty is likewise unwilling that excessive Bail should be taken in this Case; his Majesty remembering That to be one Article of the Grievances presented to him; That ordinary Bail will not be sufficient, for Men that carry on such Designs, who, in Hopes of succeeding, will not stick at forfeiting a small Sum: And that this falling  
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ling out, when the Parliament is fitting, his Majesty, therefore, thought fit, to ask the Advice of the House therein, and intends to advise with the Lords also.'

*Resolved, Nem. con.* That the humble Thanks of this House be return'd to his Majesty for his most gracious Message, in desiring the Advice of this House. And that a temporary Bill be brought in, to empower his Majesty to apprehend and detain all such Persons as he shall have just Cause to suspect are conspiring against the Government.

The same Day, the Lords sent down an Address, in which they advis'd and desir'd the King to secure suspected Persons, till the first Day of Term, for the Concurrence of the House; as, likewise, signify'd by Message, That they had enter'd in their Journals, a like Vote with that of the Commons, relating to the standing by the King, &c. with their Lives and Fortunes.

The 4th, *The Temporary Bill for suspending the Habeas Corpus Act*, being read; an Amendment was propos'd, That That present Act shall continue till the 17th of *April*, and no longer, and agreed to. But a Second in these Words (*and is never*  
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*to be drawn into Precedent or Example hereafter*) was rejected.

A Clause was then offer'd by way of Addition to the said Bill, which provided, That the Expences and Fees of all Persons so committed, should be defray'd by the Public: which was likewise over-ruled.

After which, a Proviso being first inserted, That the said Act should not any way affect the Privileges of Parliament, or the Persons of the Members, till the Matter of Suspicion be first communicated to the House, the Bill was pass'd; which gave Occasion to a Jacobite Writer of Note, of those Times, to publish in a Piece call'd *Great Britain's just Complaint*, the following severe Remarks,

" Was not the *Habeas-Corpus-Act* suspended for many Months? It's true this was done by Parliament, but so much the worse; if our own Delegates, in whose Hands we trust the Care, but not the entire Surrender of our Liberties, make a Compliment of that which is not in their Power to the Ambition or Necessities of any Prince. Parliaments can no more justly over-turn the Foundations than the Prince. Such Privileges as are deriv'd from King and Parliament, upon the Account of the Sub-  
jects

jects Temporary Conveniences, are trusted to the Review of the same Court; but those fundamental Privileges, which are the Birth-Right of Nations, and derived Originally from the Laws of Nature itself, such as the Freedom of our Persons, and Dominion over our Properties, fall only under the Cognizance of Parliaments, for their better Establishment against such Breaches, as the depraved Nature of Princes and their Ministers will be making upon them: The Nature and Design of Societies hath occasion'd a partial Submission of these two great Native Privileges, to the Safety of the Body-Politic by punishing of Crimes; and to the Support of it by Taxes, which we grant ourselves: But in no Construction of Reason, Sense, or Justice, can Delegates be understood to be empower'd to make an entire Surrender of those Rights into the Hands of any Prince, were it but for a Moment. It may be alledg'd, That the Safety and Necessity of the Government, put our Rulers upon such extraordinary Measures. If Reasons and Pretences of State (the Secrets of which are always lock'd up in the Prince's Breast) can apologize for such bold Strokes against our most Fundamental Privileges and Laws, where is there any Right or Immunity,

Immunity, which we can call our own, or be assured of? Since such Pretences shall never be wanting to entitle the Prince to an absolute Dominion over our Property, as well as over our Liberty; since the last is more valuable than the first, Why may not Reasons of State, as justly render him Master of the One, as of the Other?

If it was to preserve our Liberties from the Insults of King *James*, we placed the *Prince* upon the Throne, we have certainly either mistaken the Disease or the Cure, since he cannot be preserved upon it at a cheaper Rate, than a Sacrifice of what we intended to preserve: We are to learn nothing from this Revolution, but a surer and more infallible Way of Enslaving the Subject. King *James* never dream'd of such a Method. An *English* Parliament was hitherto esteemed a Court inseparable from the true Interest of *English* Men, but a little more Training under so good a Master may make them change Principles, and become in Time as complaisant and good-natur'd as ever the *French* and *Swedish* States were. Nothing it seems, in Gratitude can be refus'd to our *Deliverer*. But tho' Gratitude be a Virtue, it ought to have its Bounds, lest it run

us farther than we designed or intended at first; even to the Destruction of those Rights, for the Preservation of which we desire to appear so grateful. The King of *Denmark*, in our Time, by the Merit of some Action performed for his People, and during their first Raptures of Gratitude for it, found the Way to enslave them, by changing an Elective and Limited, into an Hereditary and Despotic Monarchy. To return to the House of Commons:

They likewise, in a Poll-Bill for *the Reducing Ireland*, and in another for *the Relief of their Majesty's Protestant Subjects in Ireland*, declar'd the \* *Irish*, then under King *James's*

\* Moreover, Mr. *Bevil Higgons* in his *Short View*, observes the Case of the *Irish* Nation to be so peculiarly hard, that there is scarce an Instance of the like Nature; most of the Outlawries running for Treasons committed on the 13th Day of *February* 1688, which was the Day the then Prince and Princess of *Orange* accepted the Crown in the Banqueting-house, the News of which could not be known on the other Side of *St. George's* Channel the same Day, without Inspiration: But every Body knows, at that Time, the Government of *Ireland* was entirely in the Possession of the late King *James*, by his Lieutenant the Earl of *Tyrconnel*, who had an Army on Foot to have kept the People in Obedience, tho' they should have had never so great an Inclination to revolt: Soon after, the late King *James* ventures in Person to that Kingdom, where he was, without Dispute, a King *de facto*, to whom our own Laws and Principles justify a Submission; upon which this unfortunate People were reduc'd to this

*James's* Possession and actual Government, to owe their Obedience to King *William*, and for Breach thereof to be Rebels, tho' King *James* had been solemnly recogniz'd by the Estates of that Realm.

But, notwithstanding this Stretch of Complaisance in the House, notwithstanding their Readiness to satisfy the Demands of *Holland*, on account of the late *Deliverance*, notwithstanding their coming so warmly and heartily into the King's favourite Measures of a War with *France*, notwithstanding their going such, till then, unprecedented Lengths in impoverishing the People, by a Multiplicity of Taxes, and notwithstanding the Crown his Majesty wore was their free Gift, at the End of their second Meeting, like the *Convention* which

this Dilemma of being hang'd by one King or the other, let them chuse which Side they would; but what aggravates the Hardship of their Case, with respect of the Authors of this Oppression is, that those *Irish* who were the most forward to fling themselves into the *English* Protection, as soon as they had an Opportunity, have far'd the worst, and lost their Estates only for submitting to Civil Authority; whereas others, who held out to the very last, and were the Occasion of shedding more Blood by a Prolongation of the War are all indemnify'd by the Articles of *Limerick*, which they made with their Swords in their Hands; by which Example, Posterity will be instructed to hope for more Safety and better Quarter by a desperate Resistance, than an early Submission.

restor'd King *Charles II.* they were dissolved.

So difficult it is to oblige Sovereigns to be grateful, and so impossible to serve *God* and *Mammon!* They had been too profuse of their Concessions to the Prince to retain the Affections of the People; and by retaining and expressing some † Regard to the

† Of which the *Bill of Rights* is a noble Proof, as appears by the following Clauses:

1. "That the pretended Power of suspending Laws, or the Execution of Laws by regal Authority without Consent of Parliament, is illegal."

2. "That the Commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other Commissioners and Courts of the like Nature, are illegal and pernicious."

3. "That levying Money for, or to the Use of the Crown by Pretence of Prerogative, without Grant of Parliament, for longer Time, or in other Manner, than the same is, or shall be granted, is illegal and pernicious."

4. "That the raising or keeping a Standing Army within the Kingdom (in Time of Peace) unless it be with Consent of Parliament, is against Law."

5. "That the Subjects, which are *Protestants* may have Arms for their Defence suitable to their Conditions, and as allowed by Law."

6. "That Elections of Members of Parliament ought to be free."

7. "That the Freedom of Speech and Debates or Proceedings in Parliament ought not to be impeached or questioned in any Court or Place out of Parliament."

8. "That excessive Bail ought not to be requir'd, nor excessive Fines imposed, nor cruel and unusual Punishments inflicted."

9. "That

the People, they lost the Confidence of the Prince.

When, therefore, a new Parlia- 1690.  
ment became necessary, Care was taken to form it of the most kindly Ingredients possible, that unnatural Mixtures might not engender such Ferments as no Medium in Royalty could be found to compose. Accordingly, the *State-Undertakers* of those Times, acted up to the Spirit of their Instructions; and it soon appear'd that those they procur'd to be re-

9. "That Juries ought to be duly impanelled and returned, and Juries, which pass upon Men in Trials for High Treason, ought to be Freeholders."

10. "That all Grants and Promises of Fines and Forfeitures of particular Persons before Conviction, are illegal and void."

11. "That for Redress of all Grievances, and for the amending, strengthening and preserving of the Laws, Parliaments ought to be held frequently."

12. "That all Dispensations passed by *non obstante* to Acts of Parliament, except in Cases provided for by Law, shall be void."

13. "That every Person or Persons, that is, are, or shall be reconciled to the Church of *Rome*, or shall marry a *Papist*, shall be excluded, and be for ever incapable to inherit, possess, or enjoy the Crown and Government of this Realm, and *Ireland*, and the Dominions thereunto belonging, or any Part of the same, or to have, use, or exercise any legal Power, Authority or Jurisdiction within the same, and in all and every such Case or Cases, the People of these Realms, shall be, and are hereby absolved of their Allegiance, and the Crown shall descend to the next *Protestant Heir*."

turn'd thought themselves more bound in Interest to act rather as Co-adjutors to the King, than as Servants of the Commonwealth.

Tho' the second Convention, like the First, enter'd so deeply into the Measures of the Throne, they had still some Reserve of Modesty; and, tho' they bestow'd the Sovereignty on their *Deliverer*, without Limitations, they would not do the same by his Revenue: It was reasonable, they thought, to have some Check on their new Master; and while he depended on the Good-will of his People for his Household Establishment, they made no Question, but that, out of a due Regard to his own Interest, he would not wholly trample upon theirs.

But this subsequent Sett of *Revolution-Patriots*, took immediate Care even to remove that Restraint likewise, and complimented the Prerogative with an Establishment *for Life*; which, indeed, they somewhat qualify'd, by an † Act to prevent the  
Aliena-

† "It appear'd to the Commons, that besides all Grants of Lands by King *Charles* and King *James*, there was above 200,000 *l. per Ann.* Charge laid on the Revenue, and therefore to prevent the like for the future, and that the Court might not, when they pleas'd, without Parliament, tax us by their

Alienation of the Crown-Revenues, upon any Pretence whatever.

Now it was that to grant Supplies, and find out Ways and Means, became the principal Business of Parliament; and that Three, Four, and Five Millions were first rais'd or borrow'd to make good the current Charge of the Year; which laid the Foundation of that monstrous public Debt, and the unforeseen Access of Power arising thereby to the Crown, which the Nation groans under at this Day.

During the Third Session, likewise, they complimented his Majesty with a Ratification of the Articles of *Limerick*; of which Transaction the *Jacobite* Writer before quoted, descants in the following severe Manner:

"The *Irish* Treaty furnisheth us with a convincing Proof of this, where such In-

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their Patents, which our Estates must make up, there was a Proviso added to the Bill for settling the hereditary Revenue to make all Grants void against a Successor. And tho', besides the Reasons above-mentioned, the State of Affairs, and the Charge of making War, was so much greater than formerly, and requir'd such Provision, how heinously and spitefully was it represented by some as if it proceeded only from Prejudice to King *William*? so that, tho' the Act went thro' the House of Commons, to be lodg'd with the Lords, with them it slept." See *Mr. Hampden's Pamphlet* before quoted.

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dulgences were granted unto them solely and singly by his own Authority, with relation to the Exercise of their Religion, preserving of their Arms, Dispensation from Oaths, and Security against Pursuits for their Plunderings; as were directly contrary to the Laws of the Land, the Safety, Rights and Privileges of the *Protestant* Subjects of that Kingdom. This Treaty, I do acknowledge, was afterwards ratify'd by Parliament; but though, in some Cases, the Authority of Parliament may give a legal Being for the future, yet that new Life commenceth only from the Date of their Sanction, and doth not justify preceding Errors: And the many Difficulties which arose in both Houses, about the Ratification, was about an Inuendo, how dangerous and illegal they judged the Treaty to be. How strangely are we altered? King *James's* Exercise of this Dispensing Power, could neither be forgotten, nor attoned for; but King *William's* Stretch that Way, shall obtain a Parliamentary Approbation: Such is the Justice and unbyassed Integrity of these Times."

But, as *Milton* says of the fallen Angels, neither did these lose all their Virtue, lest bad Men should boast: For, in their first  
Session

*Parliaments of England.* 119

Session they propos'd a Bill, which provided, "*That whereas the Election of Members to serve in Parliament ought to be free, and whereas the Wardens of the Cinque Ports pretended to, and claimed, as of Right, a Power of nominating and recommending to each of the Cinque Ports, the two ancient Towns, and their respective Members, one Person whom they ought to elect, to serve as a Baron or Member of Parliament for such Port, &c. all such Nomination or Recommendation shall be void.*"

And in their Fifth, when they were every Day falling more and more into Disgrace and Contempt with the People, on account of their implicit Obedience to the Demands of the King and his Ministers; and were charg'd in Print with selling their Votes for Pensions and Places, They shew'd some Concern for their Reputation at least, if they retain'd none for their Integrity, by preparing and passing a Bill, for free and impartial Proceedings in Parliament, by incapacitating certain Persons in Civil and Military Employments, from Sitting in the House of Commons, till re-chosē by their Constituents:

And when the King, by ministerial Ma-  
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nagement, was prevail'd upon † not to give his Royal Assent to it, they first Resolved, That whoever advis'd the King not to give the Royal Assent to the Act touching free and impartial Proceedings in Parliament, which was to redress a Grievance, and take off a Scandal upon the Proceedings of the Commons in Parliament, was an Enemy to their Majesties and the Kingdom: and then waited upon his Majesty with a suitable Representation: to which however they obtain'd but an indirect Answer, which greatly disgusted the whole Kingdom.

In the following Session, moreover, finding the People could not as yet be brought to digest Long Parliaments, they endeavour'd to make their Peace with the Public by the \* *Triennial-Bill*, in which was a Clause for their own Dissolution; and set on Foot an Enquiry into their own Venalities,

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† However, Thanks to the persevering Spirit of the Patriots of those Times, some Restrictions of this Nature were afterwards carry'd, and made a Shift to obtain the Royal Assent, as likewise several Clauses relating to Bribery at Elections, Double Returns, &c.

\* Drawn up and presented by Mr. *Harley*, afterwards Earl of *Oxford*. In their Fourth Session likewise they made a Feint to oblige the People with Two Bills for frequent Parliaments, one of which was stopp'd with the Lords, and the other with the King.

which

which open'd such a Scene of Iniquity, as, in the Comparison, made the Pensioner-Parliament of King *Charles II.* seem innocent; and which was *then* thought to have arriv'd at the *no plus ultra* of Corruption.

Influence, more or less, our Kings will ever have over both Houses, nor did this Influence appear to be at all diminish'd by the Revolution: But under the Awe of the *Triennial-Act*, and the yet glowing Resentment of the People against their Predecessors, it may be safely said that the Third Parliament of King *William* did not wholly lose sight of their Duty, notwithstanding.

The Popular † Bill for *Regulating Trials in Cases of Treason* they set <sup>1695.</sup> out with, in which many Things were provided for the Security of the Subject against

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† It was hereby enacted, "That all Persons indicted for High-Treason, or Misprision of it, shall have a Copy of the Indictment five Days before their Trial, and shall be admitted to make their Defence by Council learned in the Law, not exceeding two. That no Person shall be indicted or attainted, but by the Oaths of two lawful Witnesses. That no Person shall be prosecuted, unless the Indictment be found within three Years after the Offence committed. That all Persons indicted shall have Copies of the Jury two Days before their Trial; and shall have like Process to compel their

against the Malignity and Craft of State-men; tho' Ways and Means have been since found to render them of little Use; And if the Project for regulating the Coin at first, came out of the ministerial Forge, it was both necessary and like to prove of universal Use; that therefore, what the Cabinet propos'd, this House of Commons carry'd vigorously into Execution, I cannot, in this Case, impute to them as a Re-proach; Difficulties and Distresses, for the present, so great and intricate an Affair could not fail to produce in a trading Nation like ours: But of the Two great Evils, Clipping and Coining then so severely felt, and loudly complain'd of, one it render'd much more difficult, and the other effectually cur'd: So that, at this Day, we are not so much in Danger of an adulterated Currency, as of having none at all. For these Advantages, indeed, as

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their Witnesses to appear before them, as is usually granted to Witnesses against them. To this Bill the Lords added the Clause they had always insisted upon; that upon the Trial of any Peer or Peeres for Treason or Misprision, all the Peers who have a Right to sit and Vote in Parliament, shall be duly summoned twenty Days at least before such Trial, and shall not Vote without first taking the Oaths appointed by the Act I. *William and Mary*, and subscribing and repeating the Declaration mentioned in the Act made 3<sup>o</sup> Car. II, which Clause was agreed to by the Commons."

for

for all others, we have paid very dearly; since the Window-light Tax, which was granted to make good the Deficiencies of the Light-Money, &c. we have never been able to get rid of since.

But to return: In the Affair of *Darien*, the King having granted to his *Scottish* Subjects many Privileges and Advantages, which were held to be prejudicial to the Interest of *England*, the Commons expostulated so freely with his Majesty in Behalf of their Fellow-Subjects, that it was found advisable at Court to make a Sacrifice of that Colony: which the *Scots* warmly resented, but were not able to avenge.

Even in so tender a Case as where the Interest of a Bosom-Favourite, *Bentinck* Earl of *Portland*, on whom the King had bestow'd a very considerable Part of the Revenues of the Principality of *Wales*, was immediately concern'd, they had the Spirit to interpose; and their Remonstrance on that Occasion, appear'd to be of such Importance, that a Stop was put to the Grant, and his Lordship was gratify'd by his munificent Master another Way.

On the other Hand, when the King communicated the *Assassination-Plot* to the House, they unanimously enter'd into a voluntary *Association* to stand by



by him with their Lives and Fortunes. But, notwithstanding the Merit of that most seasonable Compliment, his Majesty refus'd the Royal Assent to another Bill; *That for the farther regulating of Elections*; and the House put a Negative on a Motion, for an Address, to know by whose Advice he had again been induc'd to put such a Strain upon his Prerogative.

In the next Session came on the critical Case of poor Sir *John Fenwick*; who, tho' guilty, not being within Reach of the Law, was to be punish'd by Bill of Attainder; which, thro' the extreme Zeal of the House, was accordingly done; tho' such Arguments were urg'd in Opposition to it, as will ever make it a Matter of Astonishment, that they were allow'd so little Weight.

Advantage, likewise, was taken of this dangerous Crisis, to reach Malignants of a lower Class, by Methods equally extraordinary, as appears by the following remarkable Case, *viz.*

December the 8th, "The Committee, appointed to examine the Petition of one *Mary Griebe*, made their Report, by which it appeared, that *Conrade Griebe*, Husband  
of

of the said *Mary Greibe*, having undertaken to deliver two Petitions in behalf of certain Officers and Soldiers turn'd out of Count *Stanbock's* Regiment, to the King and Parliament, was, the Day before, seiz'd by one *Kitson*, a Messenger, by Warrant from Mr. Secretary *Trumball*, charging him with treasonable Practices; That he was kept in the said Messenger's hands ten Days; during which time, he had been several times refus'd an Examination: And, that, at last, about two or three o'Clock in the Morning, he was taken out of the Custody of the said Messenger, by a Party of the *Dutch* Guards, who carry'd him on board a *Dutch* Vessel, from whence he was convey'd to *Brussels*, where he was thrown into a Dungeon, and is subsisted on Bread and Water only.

*Resolved*, That an humble Address be presented to his Majesty, that he will be pleas'd to cause the Informations in relation to *Conrade Greibe*, to be laid before the House; to which his Majesty by Message, the 23d, return'd the following Answer.

"*W. R.*

"His Majesty having receiv'd an Address from the House, whereby it was desir'd,

fir'd, that he would be pleas'd to cause the Informations, in relation to *Conrade Greibe*, to be laid before the House, is pleas'd to acquaint them, That, upon the Discovery of the late Conspiracy against his Person and Government, the said *Greibe* was taken into Custody among other suspected Persons, as concerned in that Plot; and, about the same time, several Informations being sent and delivered to his Majesty, whereby he appeared to be a very dangerous Person; his Majesty thought it for his Safety not to suffer him, being an Alien, to continue longer in this Kingdom; and did order the Duke of *Wirtemberg*, who was then going for *Flanders*, to transport him thither, in order to send him to the Elector of *Brandenburg*, his natural Prince, which was done accordingly: and the said *Greibe* was deliver'd to the General of the said Elector, who was by him appointed to receive him, together with the Informations."

But notwithstanding so much Complaisance appear'd in the House for the King's Pleasure, as furnish'd Matter for very \*  
gros

\* As appears by the following Report made in the House of Commons, *December 30*;  
" Mr. *Pocklington*, from the Committee on the Abuses of Prisons,

gros Reflections without Door, they did themselves the Honour to reject a Bill for *Restraining the Press*, as rightly esteeming it to be one of the most fundamental Privileges of the Subject.

And in their third and last Session, when it became necessary to think of doing something for the People, they pass'd certain Votes for reducing the Army on one hand, and gratify'd the King with the substantial

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Prisons, &c. among a Variety of other Matter, reported to the House, that one *Brunsbill* a Solicitor, had inform'd the said Committee, that *Tilly* (who had lately procured an Act of Parliament to enable *Bromshall*, an Infant, to sell his Interest in the Fleet-Prison; which he, *Tilly*, had purchas'd) as he was inform'd, should say, That he obtain'd that Act by Bribery and Corruption."

" That one Mrs. *Hancock* applying to *Tilly* not to protect one *Guy*, being his Clerk of the Papers, because he was perjured, &c. *Tilly* refused her Request: Upon which, being ask'd how he would do, if the Matter should be laid before Parliament? he reply'd, he could do what he would there; that they were a Company of bribed Villains; that, to his Knowledge, they would all take Bribes; and that it cost him 300 *l.* for his Share, and 300 *l.* for the other Shop (meaning the *King's-Bench*) for bribing a Committee last Parliament.

That she then, intimating that she must then apply to the House of Lords; he answered, it was only palming five or six talking Lords, and they would quash all the rest. And she then said, she would try the King and Council; he added, the best of the Lord-Keeper's Fees were from him: That as to the Judges, they were all such a Parcel of Rogues, that they would swallow his Gold faster than he would give it them; and that as to the Members of the House of Commons, they were many of them Members of his House.

Con-

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Consideration of a Civil List of † 700,000 l.  
per Ann. for Life, on the other.

But

† Anno 1698, the following remarkable Paragraphs appear'd in the famous *Husb-Money* Paper, as it was call'd, publish'd by *John Lawton, Esq;*

“Two Hundred Thousand Pounds a Year, bestow'd upon the Parliament, has already drawn out of the Subjects Pockets more Millions, than all our Kings, since the Conquest, have ever had from this Nation; and that, without any rude Complaint, is a Proof, that if a King can manage well Mr. *Guy's* Office, he may, without much ado, set up for Absolute: *Venalis est Anglia, for Venale est Parliamentum.* Heretofore, indeed, it was not necessary only that a Parliament should give, but that they should give reasonably, as *Flammock's* Rebellion, and others in King *Henry the VIIth's* Reign witness; and I believe our Rolls will not furnish us with many Sessions wherein Money was given, and no one Country Bill granted: But our ANCESTORS were wise enough to INSTRUCT their Members, and our Constitution so regular, that we had frequent Elections.

The House is so Officer'd, that by those that have Places and Pensions, together with their Sons, Brothers, and Kinsmen, and those who are fed with the Hopes of Preferment, and the too great Influence these have upon some honest, mistaken Country Gentlemen (who are possibly over-frighted with the *French*) the King can baffle any Bill, quash all Grievances, fesse Accounts, and ratify the Articles of *Limerick.*

When I find the Money the Nation gives to defend our Liberties from Foreigners Abroad, is like to undermine 'em at Home; in a Word, when I see neither the one nor the other House can withstand the Power of Gold; I say, when I perceive all this, it is Time to give Warning, it is Time to look about us.

If the Members of Parliament are to overlook all the ill Husbandry of the Government, that they may share in the Profuseness and Bribery of it, if our Rights are to be set to Sale by some, and neglected by others, when the very Being of the Govern-

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But if the Third Parliament of 1698. this Reign, did not wholly lose Sight of their Duty to their Constituents, the Fourth hath been represented as blameable for adhering to it too closely; how justly, may be seen from the following Particulars, viz. They disbanded the Army as a useless Thing, and consequently an Encumbrance in Times of Peace; nor did they spare the *Dutch* Guards (who were become extremely obnoxious to the People) though

Government depends upon our being pleased; what Amendment, what Confirmation shall we have of our Constitution when all our Dangers are over? This is a Thought deserves our most serious Reflections.

I could name a certain Gentleman who exactly resembles *Harry Guy*, that the last Sessions, when the House was a little out of Humour, dispos'd of no less than sixteen thousand Pounds in three Days time, for secret Service. Who are in Places we may find out, but God knows who have Pensions; yet every Man that made the least Observation can remember that some who open'd loudly at the Beginning of the last Sessions, who came up as eager as is possible for Reformation, had their Mouths soon stopp'd with *Husb-Money.* It has been of some time whisper'd, that if this will not at first pre-engage to do what will be exacted at their Hands, we shall have a new Parliament. I can't tell whether a new Parliament will not be practis'd upon by the *Caermarthen* Art; however, it is our last and best Remedy: for if this continues, God have Mercy upon poor *England*; for hitherto we have been, and we are like still, for ought I see, to be re-paid for all our Expence of Blood and Treasure, with a mere Smoke that *Boccaline* mentions in his Advices from *Parnassus*, whereby the Enemies of the Government have but too great Advantage given them to ridicule us for our foolish Credulity." *State Tracts*, Vol. II. p. 369, 370, 371.

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strongly

strongly importun'd thereto, by an express Message from the King, who had before reproach'd them for leaving the Nation too much expos'd: They put a Stop to the Issuing of Bills of Credit from the Treasury, which had, till then, been a Ministerial Expedient to supply the Deficiencies of Cash: They presented a very strong Representation to his Majesty, relating to certain Mismanagements in the Conduct of the Navy. They pass'd a \* Bill for *Limiting the Number of Placemen* in their own House; and they made a close Inspection into the Grants made by the Crown.

These were the Fruits of their 1699. first Session, and in their Second, they tack'd a Bill of Resumption, to the Land-Tax Bill; which giving Umbrage to the Lords, who were at the Devotion of the Court, and endeavour'd to clog the Bill with Amendments, They insisted on their Point with such Firmness, that the King himself found it adviseable to let them have their Way; which being made known to the Upper House by one of his Favourites, the Controversy was carry'd no farther.

But so great was the Resentment which his Majesty had conceived against this untracta-

\* Which was rejected by the Lords.

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ble Parliament, that he first prorogued them by † Commission, without a Speech, and afterwards dissolved them; in hope that this unexpected Exertion of the Prerogative would teach their Successors more Complaisance.

The Event however did not answer the Expectation: For, tho' both Court and Country exerted themselves *totis Viribus*, and by so violent an Opposition manifested to the whole World that they had opposite Interests, those in Power were no Gainers by the Exchange: on the contrary, they soon had Reason to think, that the late abrupt Dissolution had rather serv'd to exasperate than terrify; and what follow'd remains as a Proof to this Day, That whoever wrestles with Parliaments will be sure of a Fall.

Instead, therefore, of weak, tame or mercenary Concessions to the Throne, the Majority of *this* House were accus'd of the contrary Extreme; of distressing the King, of persecuting his Ministers, of harassing the public Affairs, &c. and yet to this very Parliament we owe the setting Bounds to that growing Evil, Parliamentary Privilege; the laudable Precedent of a proper

† To the Earl of Bridgewater.

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Commission to take and settle the Public Accounts, the resuming \* 100000 *l.* a Year, part of 700000 *l.* granted for the Civil List, and applying it towards the Payment of the Public Debt; that inestimable Blessing, the || *Hanover* Succession, and many other

\* The Occasions for which the said Sum were given, being ceas'd.

|| Under the following most excellent Limitations,

1st, That all things relating to the well-governing of this Kingdom, which are properly cognizable in the Privy-Council, shall be transacted there, and all Resolutions taken thereupon, shall be SIGNED by the PRIVY-COUNCIL. 2d, "That no Person whatsoever, that is not a Native of *England*, *Scotland*, or *Ireland*, or the Dominions thereunto belonging; or who is not born of *English* Parents beyond the Seas (although such Person be naturalized or made denison, shall be capable of any Grant of Lands, Tenements or Hereditaments from the Crown, to himself, or any other in Trust for him. 3d, That upon the further Limitation of the Crown, in case the same shall hereafter come to any Person not being a Native of this Kingdom of *England*, this Nation be not obliged to ENGAGE in any WAR for the Defence of any Dominion, or Territories NOT belonging to the Crown of *England*, without the Consent of Parliament. 4th, That whosoever shall hereafter come to the Possession of this Crown, shall join in Communion with the Church of *England* as by the Law established. 5th, That no Pardon be pleadable to any Impeachment in Parliament. 6th, That no Person who shall hereafter come to the Possession of this Crown, shall go OUT of the Dominions of *England*, *Scotland*, or *Ireland*, without CONSENT OF PARLIAMENT. 7th, That no Person who has any OFFICE under the King, or receives a PENSION from the Crown, shall be capable of serving as a Member of the House of Commons. 8th, That further Provision be made, for the confirming of all Laws and Statutes

other wholesome Laws, which were calculated for the more immediate Service of both Prince and People.

But all their Merits could not reconcile them to an offended Ministry: And, notwithstanding a Sort of † Promise in the King's Speech to meet them again the ensuing Winter, they were suddenly ‡ dissolved, as a second Warning, to refractory Parliaments.

But neither was this second Warning more effectual than the First: 1700. The Nation continued firm to those, who had hitherto continued firm to them: and,

Statutes for the securing our Religion, and the Rights and Liberties of the People. 9th, That Judges Commissions be made *Quam diu se bene gesserint*, and their Salaries ascertained and established; but upon the Address of either House of Parliament, it may be lawful to remove them. 10th, That the Princess Sophia Dutchess Dowager of *Hanover*, be declared the next in Succession to the Crown of *England* in the Protestant Line, after his Majesty and the Princess, and the Heirs of their Bodies respectively; and that the further Limitation of the Crown be to the said Princess *Sophia* and the Heirs of her Body, being Protestants."

† "I make no doubt that whatsoever shall be done during your Recess, for the Advantage of the Common Cause in this Matter, (the Support of the Confederacy) will have your Approbation at our Meeting *again* in the Winter."

‡ "It was whisper'd that the King's Favourite had a considerable Sum of Money given him, by whom is not mention'd, to incline his Majesty, while he was in *Holland*, to the Dissolution." *Life of King William*, Vol. III.

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notwithstanding the most vigorous Efforts of those in Power, return'd a Majority of the very Men who had been so lately dismiss'd— It must however be acknowledg'd, for the Sake of Truth, that these Gentlemen occasionally suffer'd their Zeal for their own House, to carry them rather too great Lengths, as appears by those \* Resolutions of theirs, relating to their Privileges, which seem to have been irreconcilable with the Privileges of their Constituents.

Of their Attachment to the *Hanover* Succession, they nevertheless gave

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\* Feb. 26, "That, agreeable to the Opinions of a Committee appointed to consider of the Rights, Liberties and Privileges of the House of Commons, to assert that the House of Commons is not the only Representative of the Commons of *England*, tends to the Subversion of the Rights and Privileges of the House of Commons, and the fundamental Constitution of the Government of this Kingdom. 2d, That to assert that the House of Commons have no Power of Commitment, but of their own Members, tends to the Subversion of the Constitution of the House of Commons. 3d, That to print or publish any Books or Libels reflecting upon the Proceedings of the House of Commons, or any Member thereof, for, or relating to his Service therein, is a high Violation of the Rights and Privileges of the House of Commons. 4th, That it is the undoubted Right of the People of *England*, to petition to address to the King for the calling, sitting or dissolving of Parliaments, and for the redressing of Grievances. 5th, That it is the undoubted Right of every Subject of *England*, under any Accusation, either by Impeachment or otherwise, to be brought to a speedy Trial, in order to be acquitted or condemned."

a farther

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a farther Proof, by the \* Clause they inserted in the Act for enlarging the Time for taking the Oath of Abjuration; and in this they had the more Merit to plead: because the *French* King, had, just before, in the most solemn Manner, caus'd the Pretender to be proclaim'd King of *England*, at *Verfailles*.

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\* "That if any Person or Persons, at any time after the first Day of *March* 1702, shall endeavour to deprive or hinder any Person who shall be the next in Succession to the Crown for the time being, according to the Limitations in an Act intituled, *An Act for declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown; and according to one other Act, intituled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, from succeeding after the Decease of her Majesty to the Imperial Crown of this Realm, and the Dominions and Territories thereunto belonging, according to the Limitations in the beforemention'd Acts; that is to say, such Issue of her Majesty's Body, as shall from time to time be next in Succession to the Crown, if it shall please God Almighty to bless her Majesty with Issue; and during the time her Majesty shall have no Issue, the Princess *Sophia*, Electress and Duchess Dowager of *Hanover*, and after the Decease of the said Princess *Sophia*, the next in Succession to the Crown for the time being, according to the Limitation of the said Acts; and the same maliciously, advisedly and directly, shall attempt by any Overt-Act or Deed; every such Offence shall be adjudg'd High-Treason, and the Offender or Offenders therein, their Assessors, Procurers, and Comforters, knowing the said Offence to be done, being thereof convicted or attainted according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traytors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High-Treason."

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But,

But, before this Act could receive the Royal Assent, the King died, and with him died the Opposition to the Court: For the Queen had no sooner taken Possession of the Throne, but the Commons gave at once into her *Favourite's* Views, of entering into a new Land War with *France*, and likewise settled the Civil List for \* Life; which, together with the annual Supply, became the principal Business of the Session.

S E C T. IV.

*Of the Supplies given by Parliament from 1689 to 1698.*

In this Sketch of the Parliaments of King *William*, scarce any Thing hath been said of the mighty Taxes then first levied upon the People, in pursuit of that Monarch's darling Project of humbling *France*.

\* Tho' not without this wholesome Provision, That all Grants of Manors, Lands, &c. made by the Crown for more than 31 Years, or Three Lives, or all Tenements for more than Fifty Years, should be void; by which, we are told, the Crown was for ever deprived of a great Means of burthening the public Revenues by Gratifications to their Favourites.

That,

That, however, our Readers may not repine for the Want of proper Information upon that important Head, I have, in this Section borrow'd from Doctor *Davenant*, whatever is necessary, to give a general Idea of that intricate Subject.

	l.	s.	d.
“For <i>Anno</i> 1689, Granted for the War, and to pay 60,000 l. to King <i>Charles's</i> Ser- vants, and to pay 600,000 l. to the <i>Dutch</i> , in all, that Year ————	1,844,786	16	04
For <i>Anno</i> 1690. Granted for the War	2,535,452	01	02
For <i>Anno</i> 1691. Granted for the War, and for building Ships ————	4,794,861	07	00½
For <i>Anno</i> 1692. Granted (besides what was paid out of the Revenue of the Crown towards the War) ————	3,337,268	08	09½
Carry over ————	12,512,368	13	04½

For

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	l.	s.	d.
Brought over	12,512,368	13	04½
For <i>Anno</i> 1693. } Granted for the War	3,471,482	16	01
For <i>Anno</i> 1694. } Granted for the War	5,030,581	09	09
For <i>Anno</i> 1695. } Granted for the War	4,883,120	00	06
For <i>Anno</i> 1696. } Granted for the War, and to make good some Defici- encies, and to make good the Clipped Money, and for the Civil List, and <i>French</i> Protestants	7,961,469	00	00
For <i>Anno</i> 1697. } There was Granted for the War, and to make good the De- ficiencies of former Funds, and for the Civil List, and <i>French</i> Protestants	11,887,160	00	09½

Carry over—45,746,182 00 05½

For

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	l.	s.	d.
Brought over	45,746,182	00	05½
For <i>Anno</i> 1698. } There were Funds given, amounting to about	4,500,000	00	00
Ordinary Revenue of the Crown, reck- oned at a Million <i>per Annum</i> , by a Medium during these ten Years, might pro- duce in the whole about	10,000,000	00	00
In all	60,246,182	00	05½

But



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Brought over ——— *l. s. d.*  
60,246,182 0 5½

But in these Articles several Sums are twice reckon'd; as for Example, where one Fund was taken away, and another given in its place; and where Funds have been granted to supply the Deficiencies of other Funds, for which Articles there may be deducted about ---

<i>l.</i>	
7,000,000	
12,000,000 0 0	
5,000,000	

And the ordinary Crown-Revenue might be charged, during that Time, towards the War, with about ---

So that there has been }  
actually granted but about } 48,246,182 0 5½

'Tis

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'Tis not pretended, That the foregoing Accounts are exact to a Tittle; but according to the best Information we are able to procure, they are as near the Truth as is requisite in our present Argument.

Having shewn what has been granted in Funds, we shall now show what was intended by the Parliament; and, for five Years, very little more demanded for the Fleet and Army.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For Anno 1689, ———	3,295,628	04	05
For Anno 1690, ———	4,010,760	06	07
For Anno 1691, ———	4,172,393	09	07½
For Anno 1692, ———	3,629,439	12	03
For Anno 1693, ———	4,117,080	09	06
For Anno 1694, ———	5,030,581	09	09
For Anno 1695, ———	4,883,120	00	06
For Anno 1696, ———	5,024,854	04	11
For Anno 1697, ———	4,880,078	19	11
For Anno 1698, ———	1,300,000	00	00
	40,343,936	17	05½

Note, That from Anno 1693 inclusive, to Anno 1697 inclusive, the Difference between what was demanded by the Ministers, and granted by the Parliament for the Fleet and Army during those Five Years, amounted in the whole Time, but to 1,465,623 *l.* 19 *s.* 9½ *d.*

Sup.

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Suppose the Expence of the Civil List, from 1689 inclusive, to 1698 inclusive, to have been one Year with another 600,000 *l.* per *Annum.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
The Expence of the Civil List then in ten Years may have been—	6,000,000	00	00

Towards which the ordinary Revenue of the Crown, besides what it was charged with to the War, may have yielded about ————	}	5,000,000	00	00
---	---	-----------	----	----

But in 1696, and in 1697, there was granted by the Parliament for the Civil List per <i>Annum</i> , 500,000 <i>l.</i> in the whole ————	}	1,000,000	00	00
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So that in this Computation, the Expence of the Civil List is to be reckon'd at but ————	}	5,000,000	00	00
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And

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And the Accounts of *England* may run thus,

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Actually granted - - - - -	48,246,182	00	05½
Ex- pence of the War,	40,343,936	17	05
Ex- pence of the Civil List	5,000,000	00	00
	} 45,343,936 17 05½		
Remains - - - - -	2,902,245	02	11½

So that except in the Article of Interest Money, and except in the Article of 1,465,623 *l.* 19 *s.* 9½ *d.* in which the Demands of the Ministers for the State of the War, exceeded what was granted by the Parliament, the Expences of the Government seem to have been fully supply'd, and that there remains an over-balance of 2,902,245 *l.* to be accounted for.

Now as to the Interest-Money for the 5,000,000 *l.* with which the Crown-Revenue may have been charg'd towards the War, those Funds, most of 'em, have and will answer the Principal and all the Interest allow'd by Parliament: And other In-

Interest, which several Funds fell short of satisfying, has been in a great Measure made good by the Supply of 7,000,000 *l.* granted to answer Deficiencies.

And as to the State of the War having exceeded what was granted, in ballancing the general Account, this Article ought to be considered, if during the whole War the Muster-Rolls have been full; and if all along we have had our Complement of Ships and Seamen, according to that State of the War which was every Year laid before the Parliament.

But upon the whole Matter, considering what has been granted, and what may probably have been expended, there seems good Reason to think that the Public of *England*, if all Accounts were narrowly inspected, cannot be much in Arrear either to the Fleet, Army, or to the Civil List.

So that if there shall remain any great Arrear, in all likelihood it must chiefly arise from exorbitant Premiums, unwarrantable Interest, and other Ways of laying out Money, hurtful to the King, and destructive to the People.

The rough Draught of our general Accounts here given, which is as perfect as a By-stander only could procure, may perhaps, afford some little Help to such as will think

think of these Affairs; and this rude Model may contribute towards the forming of a better Scheme.

The Forty-eight Millions granted, as we have said, by Parliament for the several Years from 1689 to 1698 inclusive, have not been actually levied: To state exactly how much of it has been already rais'd, and what Proportion of it remains secur'd by remote Funds, is not to be done without greater Helps than the Writer of these Papers can come at: But so far we know, and may affirm safely, That a great Part of the Product of Land, our Trade, and Manufactures remain still mortgaged for upwards of twenty Millions.

Two of the Nine-pences on Beer and Ale are to be esteemed as a Perpetuity, the third Nine-pence is engaged for a long Term of Time; the first Duty upon Salt can be look'd upon no better than as a perpetual Fund; the new Customs, continued Acts and Joint-Stocks, the Duty on Marriages, Births, &c. the first Duty on Stamp'd Paper, the Duty on Windows, half the Duty on Glass-Ware, the new Duties on Whale-Fins and Scotch Linnen, are continued to the First of *August* 1706. The last Duties upon Salt, and Stamp'd Paper, are Perpetuities: There is a further

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Subsidy

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Subsidy of Tonnage and Poundage granted from the last of *January* 1699, for His Majesty's Life-time; and the Impositions upon Malt, Leather and Paper, are not expired.

To imagine we can buy off and redeem, in any moderate Time, all these Perpetuities, or long Funds, is a vain Hope; but this may be laid down for a certain Truth, That *England* will never FLOURISH in Trade and Manufactures till the greatest Part of 'em are clear'd, and till our Affairs are brought to such a Posture, that we may not pay to the Government either for the Support of the Crown, or on Account of Funds, where the Principal is sunk, ABOVE 2,300,000 *l. per Annum*, or about a Twentieth Part of the Nation's general Income, which was our Condition before the War.

And unless this can be compass'd, it will be found, That, in no long Course of Time, we shall languish and decay every Year, by Steps easy enough to be perceived by such as consider of these Matters. Our Gold and Silver will be carried off by degrees, Rents will fall, the Purchase of Land will decrease, Wooll will sink in its Price, our Stock of Shipping will be diminished, Farm-houses will go to ruin, Industry will  
decay,

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decay, and we shall have upon us all the visible Marks of a DECLINING PEOPLE"

## S E C T. V.

*Of the Parliaments of Queen Anne.*

The Queen, while Princess of <sup>1702.</sup> *Denmark*, having been ill us'd, upon all Occasions, by the *Whigs*, her Majesty no sooner took Possession of the Throne, than she made a thorough Change at Court; and a *Tory-Administration* did not fail to produce a *Tory-Parliament*. As, therefore, in the late Reign, the *Dissenters* had gain'd such Ground, as to become almost formidable to the Church; the Tables were now turn'd, and the *Church!* the *Church!* became a Cry that carry'd all before it. This produc'd the *Occasional-Conformity* Bill, and the mighty, tho' ineffectual, Struggle then made, to carry it into a Law: But, however complaisant this Parliament may be held to the Church or Throne, it did not however debase itself so far as to gratify every Ministerial Demand, without Reserve: On the contrary, when the Queen, by Message, was induc'd to desire the House, to make her Grant of 5000 *l. per Ann.* to the Duke of *Marlborough*, for her own natural Life, perpetual, they, in a  
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very respectful Manner, \* declin'd it, as not caring to set a Precedent, which might countenance future Alienations of the Revenue; already too much reduc'd by the exorbitant Grants of the last Reign.

They had, moreover, the Merit, I will not say upon what Principle, to make a close Inspection into the public Accounts, and to lay before the Queen a very ample Remonstrance thereon; at once exposing past Miscarriages, and shewing the Necessity of a more exact Oeconomy for the Time to come.

But this Zeal and Integrity of theirs were not without a Bound: for when the *Whigs*, to serve a present Turn, did themselves the Honour to introduce a Bill for Purging the House of Commons of *Placemen*, the † Majority, who had then the upper Hand at Court, thought it for their Interest to throw it out.

\* Notwithstanding which, this very House of Commons in their last Session, entertain'd such a Sense of his Grace's Services, at the Battle of *Blenheim*, that they presented a Vote in his Favour to the Queen, which gave Rise to the Royal Grant of *Blenheim*, and the national Rent-Charge annex'd to it.

† And yet the same Majority, in the said last Session, in Resentment to some who had Apostatiz'd, and taken Places, brought in the same, or the like Bill again, which pass'd one House, and was rejected in the Other.

Upon

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Upon the Discovery of the *Scottish* Plot, the Lords bestirring themselves with more than ordinary Zeal to get at the Bottom of it, by examining the Prisoners taken up on that Occasion, and ordering them into Custody by their own Authority, the Commons, of a sudden, broke out in a Flame of Zeal for the Prerogative, which, in a solemn Address, they represented as invaded by the Lords; and not only call'd upon the Queen, not to suffer it, but made an Offer of supporting her Majesty in the Exertion of it, against all Invasions whatever.

It is remarkable, that, during this one Parliament, no less than Four Disputes arose between the Two Houses: *Viz.* one upon the *Occasional-Conformity* Bill; a Second on the Censures pass'd by the Commons, on the Conduct of Lord *Hallifax*, as Auditor of the *Exchequer*; a Third on the *Scottish-Plot*; and a Fourth on the Affair of the *Ailesbury-Men*, (who were us'd with extreme Severity by the Commons;) all of which were carry'd on with great Warmth and Bitterness, and divided the whole Nation; the *Whigs* siding with the Lords, and the *Tories* with the Commons: Faction so ordering it, that the Last were for multiplying Restraints on the People they represented,

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and

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and the First found their Account in acting as Conservators of the Public Liberty.

But there is good Reason to believe that these frequent Broils between the Two Houses had very different Grounds, in Fact, from those which were publicly pretended: For, no sooner had the Court-Junto struck up a Bargain with the *Whigs*, and turn'd their Backs on their old Friends the *Tories*, but the Elections, for the general, took a different Turn; the Majority of both Houses, appear'd to be of the same Completion, and whatever had been swallow'd by one, was digested by the other.

I will not stay to expose the Inconsistency of either Party in this Place; but content myself with observing, That a *Tory*-Motion in the House of Lords to invite over the Princess *Sophia*, as presumptive Heiress to the Crown; (which, as a particular Compliment to the Queen, was over-rul'd by the *Whigs*;) made way for an \* Act, by which, Two of the most important Clauses in the Act of Limitation, were repeal'd, *Viz.* That, obliging

\* Call'd an Act for the better Security of her Majesty's Person and Government, and of the Succession of the Crown in the Protestant Line.

Privy-

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Privy-Counsellors to sign their Opinions; And That, incapacitating Placemen to be Members in the House of Commons. Thus, if the *Tories* made their Court to the House of *Hanover* in the Affair of the Invitation, the *Whigs*, not only excus'd themselves for putting a Negative thereon, but actually out-bid their Rivals in Court Favour, by giving an additional Strength to their Succession, and providing that the Sceptre should descend with as much Weight to the new Family, as it had done to the old: And this they did, tho' the Instrument by which the Crown was farther entail'd, was of the Nature of *Magna Charta*; consequently ought, in every Circumstance, to have been, like it irrepealable; tho' it was evident the said Clauses contain'd the only Securities which the People could ever rationally hope to obtain against the Progress of Corruption, and the Impunity of overgrown Criminals; tho' they, the *Whigs*, had ever avow'd a Jealousy of the Regal Power, and clamour'd loudest, to have a sufficient Mound thrown up, between it and the Subject's Liberty, and tho' the *Hanover*-Family had made no Difficulty to accept the Crown, under whatever Restrictions.

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Thus

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Thus the only Advantages, resulting to the People from the Act of *Settlement*, except in the Article of Religion, were \*surrender'd at once, to bespeak the Indulgence of the future Sovereign, and excuse a seasonable Compliment to the present.

Nay, so far was the *Whiggish* Complaisance, to the Crown, at this Season, extended, that when a *Rider* was offer'd in the House of Lords, to restrain the the Lords Justices, upon the Queen's Demise, from giving the Royal Assent to any Bill for Repealing or Altering the *Habeas-Corpus* Act, the *Toleration* Act, the *Triennial* Act, and the Act for *Regulating Trials in Cases of Treason*, it was overrul'd by a Negative; so that the whole

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\* A List of these *Surrenderers*, (together with some very shrew'd Queries,) was made public by the *Tories*, at the General Election in 1708; in which, we read the Names of those Two great Patriots, ROBERT WALPOLE, and WILLIAM PULTENEY, Esqrs; and one of the best-inform'd *Occasional* Writers in the *Craftsman*, speaking of the Repeal of those Clauses, *May 29, 1739*, goes on, as follows.

"There was not in any Parliament before, a Struggle equal to this; nor where the *Influence* of the *Crown* was more apply'd. The *Journals* of *Parliament* are some Proof of it at this Day: I could enter into Particulars, but am loth to disturb the Ashes of the *Dead*."

These Patriot *Whigs*, moreover brought in a Bill, this Session, to oblige the Roman Catholics, to conform, or forfeit their Estates: And it had actually pass'd into a Law, if the Remonstrances of the Foreign Ministers had not prevented it.

Consti-

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Constitution was in a Manner left at the Mercy of the new Government: And how deeply and fatally the Public was affected by the Repeal of these important *Limitations*, let the open, barefac'd Barter of Votes for Places, which, both before and since, hath been carry'd on, bear Witness; as well as the many Attempts which have been made to put an End to that infamous Traffic, by introducing a new Law, under the Title of a *Place-Bill*; which, for many Years, constantly miscarry'd, and, at last, terminated in a \* Thing, that was Title only: all Governments alike, making it a Point to engross as much Power, and extend their Influence as far as possible; and to make no Concessions to the Govern'd, however reasonable, as long as they are in a Condition to withhold them.

During this Session, likewise, an Act was pass'd to empower her Majesty to name Commissioners, &c. to treat with *Scotland* for an incorporating Union, which was now become necessary, both for the Peace of the Two Nations, and the Safety of the Lord Treasurer; who, having induc'd the Queen to give the Royal Af-

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\* See the Bill, obtain'd by a *TACIT TREATY*, as we are told by the Author of *Faction Detected*, with the Lords. *An. Reg. Geo. II. 14<sup>o</sup>, 1742.*

sent

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sent to the \* *Scots Act* of Security, became answerable for all the Mischiefs it was like to occasion.

No Measures are proceeded upon  
1706. with such Vigour, or meet with such Success, as those in which the immediate Interests of Ministers are concern'd: It is the less to be wonder'd at, therefore, that this great Work was entirely finish'd during the Recess, and afterwards ratify'd by the Parliaments of both Kingdoms; tho' not without Tumults in *Scotland*, and not a little Opposition in *England*; I mean in the House of Lords; for the Commons were all Ductility, and submitted to every Article, I think, without one Division.

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\* By which it was provided, That the Crown of *Scotland* should not descend to the same Person who possess'd that of *England*, unless that, during her Majesty's Reign, such Conditions of Government should be settled and enacted, as might secure the Honour and Sovereignty of that Kingdom, the Freedom, Frequency and Power of Parliaments, and the Religion, Liberty and Trade from the *English*, or any foreign Influence; and that it should be High-Treason to proclaim any Successor without the Consent of the States.

This Act gave such an Alarm in *England*, that it occasion'd a Bill for securing the Kingdoms from the apparent Dangers that may arise from several Acts lately pass'd in *Scotland*.

So that the Two Nations seem'd to be almost on the Point of a Rupture.

But

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But, however plausible the Word *Union* founded, and whatever real Advantages attended it, we have liv'd to see it productive of some Mischiefs, which scarce any Advantage can atone for; I mean the additional Weight thrown into the Royal Scale, by the Sixteen and the Forty-five; it being remarkable, that the People have never, but once, been able to obtain a Majority in Parliament since: For, in Effect, the 400,000 *l.* Consideration, or Equivalent as it was call'd, paid to *Scotland*, was but an Earnest of what was to follow: and it is only by comparing the Places and Pensions distributed among these *Northern Worthies*, with their Votes, that we shall know how much the *Union* hath hitherto cost us, and one of the chief Ends it was calculated to answer.

During this Session, likewise, the good Humour of the House of Commons continued so overflowing, that they complimented their Favourite-General with the Manor of *Woodstock*, and the Palace of *Blenheim*, as likewise a Perpetuity of 5000 *l. per Annum*, to be annex'd to the Title of *Marlborough*: And as an Indulgence to the Treasurer *Godolphin*, who had run the Nation to 800000 *l.* Expence, more than was provided for by Parliament, justify'd



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stify'd him for so doing, by a Majority, of a Hundred Voices.

But we do not find this extraordinary Harmony between the Ministry and the Parliament subsisting at the Opening of the next Session: On the contrary, the leading *Whigs* having not been gratify'd to the Height of their Expectations, for their late Services, spirited up the *City of London* to lay a Remonstrance before the Parliament, enumerating their Losses at Sea, complaining of the Conduct of the Admiralty, &c. which gave rise to very warm Debates in both Houses: And they likewise fell in with the *Tories*, in their Address, relating to the Management of the War with *Spain*: But it soon appear'd, that these Steps were taken only to distress the Ministers into *their* Measures, not to serve the Nation: Accordingly, their Terms were no sooner comply'd with, but they deserted the *Tories* again, and voted *Thanks* for the *Care* that had been taken of the *Spanish* Service: They likewise provided almost six Millions for the current Service, suspended the \* *Habeas-Corpus* Act, on

\* Which gave the Ministry an Opportunity to seize upon Twenty-two Persons of Distinction in *Scotland*, and bring them up Prisoners to *London*; as it was given out, that they might not be in the Way, to embarrass their Measures in the ensuing general Election.

Ac-

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Account of the Pretender's Invasion of *Scotland*; and were dissolved, without having the Merit of any one independent Measure to plead, by way of Recommendation, to their Constituents, except the Rejecting an arbitrary Project for the † *Recruit-*

† The Nature of this Project we find thus explain'd in a Speech, then made in the House of Commons.

“ Under every free and just Government, the People enjoy an equal Right in the Liberty of their Persons and Estates, and have one and the same common Benefit of the same Law; where, and to whomsoever this Justice is denied, I am sure, the People must fall under the heaviest Tyranny, Oppression, and Slavery in the World.

That this Bill, as now brought into the House, does restrain and deprive the much greater, and more industrious Part of the People, of that Freedom and Property, which the rest of their Fellow-Subjects enjoy, is very plain and evident by the Exceptions of such Persons as are only exempted from being forced from their Country, their Wives and their Children, into Foreign Service: The Persons only excepted, I find, are *Clergymen*, the *Scholars of the Two Universities*, the *Students of the Inns of Court*, all *Free-holders and Copy-holders*, and their Sons, that have Land to the Yearly Value of — or that did pay to the late Subsidy Act; all Electors and Voters for any County, City or Borough; so that all Apprentices and Servants, all *Graziers*, *Farmers*, *Labourers*, and all other Persons whatsoever, not exempted by the Qualifications above specified, (which extend not to one Third of the People of *England*) are liable to be banish'd their Country, and forced from their Matters and their Families, without any Limitation of Time, and almost Hopes of Return; whilst every small *Free-holder*, or *Copy-holder*, every corrupt Voter or Elector of any City or Borough, (of whom a great Number might, of all People, be the best spared) shall stay at Home, in *Luxury*, *Sloth*, and all the other Crimes that

*cruiting* the Army; which, we are expressly told, they durst not insist on, for fear of endangering their Elections in the next Parliament.

Still the late Misunderstandings between the Ministry and their *Whig*-Allies, were not entirely removed: on the contrary, the last, thinking they had now an Opportunity to set up for themselves, join'd Interests, however unnaturally, with the *Jacobites*, especially in the *North*, and hop'd, by their Assistance, to have a clear Majority in the ensuing Parliament: But so effectually did the Ministry labour upon this Occasion, that, on the Return of the Writs, it appear'd they were still able to stand their Ground, and carry their principal Points, in spite of all Opposition: Upon which, the *Whigs*, with more Policy than Honesty, made their Submission, at the Expence of their *Jacobite* Friends, and were again admitted to Grace and Favour.

that attend our Elections; so that the best Consequence that can be expected of this Bill will be, that all Cities and Boroughs will be crowded with the most idle Persons of the Country, who are able at any Rate, or by any Way, to make themselves Voters, in order to exempt themselves from the Fatigue and Danger of War; and the Country, by this Means, will be drain'd and depriv'd of Servants, Farmers and Labourers, who are the most laborious and necessary Persons of the Common-wealth, to till and cultivate the Land."

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When we know that an Election hath been made under ministerial Influence, we know, likewise, that the said Ministers will be serv'd instead of the Public: Accordingly, we find that the whole Business of this Session, was a Series of Jobbs; such as the deciding \* Controverted Elections in such a Manner, that it ought rather to be said, That they chose themselves, than that they were chosen by the People; the raising seven Millions, and the passing an Act of Grace, &c. And in their second Session, they thought proper to compliment the Duke of *Marlborough* before they address'd her Majesty; They impeach'd *Sacheverel*, for abusing the Lord-Treasurer by Craft, in a Sermon, under the Name of *Vulpone*; they voted another Supply of 6,200,000*l.* they were on the Point of passing some Votes † *disagreeable* to the Queen, on her presuming to change her Ministry; and would have address'd her to remove a Bed-chamber Woman, Mrs. *Masham*, out of her Service, if her Majesty, by her own personal Application to some of the leading

\* See the Speech of Sir *Simon Harcourt*, in *Chandler's History*, Anno 1708.

† See the *Account* publish'd by the Duchess Dowager of *Marlborough*, and the Answer to it, entitled, *The other Side of the Question*.

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Members, had not made a Shift to ward off the Blow.

As it appear'd, therefore, from these and many other flagrant || Circumstances that this House of Commons was more in the Interest of the *Court Junto*, than that of their Sovereign, there is very little Room to be surpriz'd, that they were \* dissolved, at the End of the second Session; and that a *new* Ministry undertook to return Representatives more devoted at least to the Person of her Majesty, if not to the Interest of their Country.

This new Election, however, furnishes us with a new Proof of the *Power and Influence* of the Crown over the *Representative*, as well as the *Wax and Parchment-part* of our Legislature: When the Ministry was in Alliance with the *Whigs*, the Majority of both Houses was *Whig*; when with the *Tories*, they became *Tory*. The Two Factions which divided the Nation, were never in so great a Ferment, as at this Period: And tho' the *Whig* was routed at

|| The Creatures of the *Junto* had given out, That the Parliament would undo all her Majesty had done, and put a *Ne plus ultra* to the Projects of her new Ministers.

\* At the Instance, as it was to be understood, of the People themselves; many Corporations having been induc'd to petition for the said Dissolution.

Court,

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Court, he was nevertheless so strong in the City, had so mighty an Influence over the grand Hinge of Government, Ways and Means, and made so resolute a Stand in the House of Peers, that the new Ministers did not think it for their Interest to enquire into the Conduct of their † Predecessors, or make their Enemies desperate, by throwing them *all* out of Place and Power at once.

But tho' the *Tories* had the Ascendant; they acted, in many respects, as the *Whigs* had done before them: For, tho' they \* recommended a tender Care of the *Hanover* Succession to the Throne, seem'd earnest for carrying on the War with as much Vigour as ever, made an Enquiry into the Abuses of the Victualling-Office, provided for the Security and Discharge of the *Public Debts*, (which it had been given out, they would have paid with a Sponge,) address'd for an Account of the Pensions paid by the Crown, pass'd a *Place-Bill*, which, as foreseen, perhaps, the Lords had the Honour to reject, They dropp'd a Bill to prevent *Bribery in Elections*, upon

† Who were besides under the Protection of the *Act of Grace*, as low as *April 19, 1709*.

\* Upon the Motion of Mr. *Lechmere*, seconded by Mr. *Harley*.

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the Third Reading, approv'd a Report which charg'd the late Ministers, with a Deficiency of upwards, of 35,000,000 *l.* when they were in Truth accountable only for *Four*, rejected a Court-Motion for a Duty upon *Leather* as a *Grievance*, and yet adopted the very same Thing under a new Title, *Viz.* a *Duty* upon *Hides*, and discover'd in general such a Disposition to oblige the Ministry, that the last Business of the Session was to issue out Writs, to supply the Vacancies, made by those who had accepted such Places of Trust and Profit, in Reward of their good Services, as render'd it necessary for them to be \* re-chosen: A Manner of Proceeding, which even Mr. *Robert W-l-p-l.*, at that Time, complain'd of very severely, tho' he hath been so much better reconcil'd to it since.

These were the principal Fruits of their first Sitting. In their Second, tho' they

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\* It ought here to be observ'd, That when the *Whigs* repeal'd the Clause in the Act of *Limitation*, relating to Placemen in the House of Commons, they endeavour'd to qualify what they had done, by excepting totally certain Officers of the Revenue, and rendering it necessary for most others, to pass a *Fine* to their *Constituents*, on their being promoted; That is to say, by obliging them to be at the Charge of a new Election.

granted

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granted a Supply for the War, they seem'd to be making the necessary Managements for a Peace, which it was the Interest of one Party to bring about, and the other to perplex and expose: Hence the whole Current of Public Business, partook of the Soil of that Faction, thro' whose Canal it pass'd; and the Stream was seldom clear enough for the Public to see to the Bottom: To win over the Earl of *Nottingham*, the *Whigs* conniv'd at the passing the *Occasional Conformity* Bill, which they had formerly call'd upon Earth and Heaven to defeat, as striking at the very Root of Religious Liberty; or utterly excluding all *Dissenters* from the Honours, Trusts, and Profits of Government: and the *Tories*, on the other Hand, order'd, in a Bill to restrain the *Licence*, or rather *Liberty*, of the *PRESS*.

In short, all was Craft, Faction, and Perfidy; tho' the Honour of the Queen and the Welfare of the Public, were talk'd of on both Sides, neither had any Thing really in View but their own private Interest: Within Doors, Clamour, Contention, and Confusion prevail'd; and, without, Party-Spirit had almost dissolv'd Society, and Truth was swallow'd up in the Bottomless Gulph of Controversy.

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The third Session of this Parliament was of a Piece with the other Two: For tho' it was not suffer'd to sit for the Dispatch of Business till *April 9*, and had been prorogu'd no less than Five Times in *March* only, no Notice was taken of so extraordinary a Proceedure, and almost every Court-Point was admitted with all the Complaisance imaginable; except the Bill for rendring effectual the Treaty of Commerce with *France*; and even That, tho' obnoxious to all the Manufacture and trading Towns of the Kingdom, could not be rejected, till a Letter of Leave was first directed to the Speaker, Sir *Thomas Hanmer*, by the Lord Treasurer *Harley*.

For the Rest of the Business of this Session, it was all Cabal and Intrigue, *Tory* against *Whig*, and *Whig* against *Tory*; between which two *Thieves*, the Nation was crucified: In particular we have ample Reason to curse this Session, for a fatal Precedent of an Aid to the Civil List (500,000 *l.* to discharge her Majesty's Debts) which, tho' so vehemently complain'd of by the *Whigs* then, they have copy'd but too faithfully since.

But how mischievous soever the Factions of those Times were to the Public, so deeply infatuated were the People, by the

Artifices

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Artifices of their Leaders, or so thoroughly corrupt, that at the next general Election, they return'd another Representative, which was scarce to be distinguish'd from the former.

In the House of Lords, the *Whigs* rais'd a great Outcry against a *Tory* Pamphlet; (the *Public Spirit of the Whigs*, written by Dean *Swift*,) and in the House of Commons, the *Tories* did the same by certain *Whiggish* ones, the *Crisis*, &c. written by Mr. *Steele*, who being a Member, was made the *Scape-Goat* of his Party, and expell'd: As usual, good Motions were made for Factious Ends by one Party, and over-rul'd by the other, to fulfil their Engagements with the Ministry. The *Hanover Succession* was made the grand Engine of the *Whigs*, and the *Schism* Bill by the *Tories*; but with different Success: For the First was voted out of Danger, and the Last was carry'd into a Law; tho' a most apparent Violation of the Liberty of the Subject: In a Word, the whole Kingdom was embroil'd; and even the Queen herself was so persecuted with the Feuds and Animosities of her own Servants, that she had Reason to welcome Death as a Deliverer, and rejoyce more at laying down her Scepter, than the Elector of *Hanover*, her Successor, to take it up.

M 3

SECT.

S E C T. VI.

*A State of the War and Peace.*

As the prolonging the War furnish'd the Tories with Matter of Complaint against the Whigs; as the Treaty of Utrecht furnish'd the Whigs with like Matter of Complaint against the Tories; as the Contest between the Two Parties in the ensuing Reign, turn'd principally upon these Points, and as the Nation seems to be *again* in some Danger of being plung'd into a *Third* consuming Land-War, nothing can be more pertinent than to present the Reader, in this place, with a short State of the War, and the Peace; which will very sufficiently shew, how utterly inconsistent these military Adventures are with the Interests of a trading Nation.

“ The Grand Alliance was concluded on the First of *September* 1701, and the main Design thereof appears from the Words of the second Article, *viz.*

*His Sacred Imperial Majesty, His Sacred Royal Majesty of Great Britain, and the States General, desiring nothing more earnestly than the Peace and general Quiet of all Europe, have judg'd, That nothing can be more effectual*

*tual for the Establishment thereof, than the procuring an equitable and reasonable Satisfaction to his Imperial Majesty for his Pretension to the Spanish Succession; and, that the King of Great Britain and the States General, may obtain a particular and sufficient Security for their Kingdoms, Provinces, and Dominions, and for the Navigation and Commerce of their Subjects.*

In pursuance of this Agreement the War was proclaim'd, and with these Views, was carry'd on to the Year 1706. The Annual Charge of this Nation, and the Progress of the Increase of that Charge may be seen by the following Account,

		l.	s.	d.	
The Estimate of the War came to, in the Year	{	1702—	3,706,494	02	10½
		1703—	3,898,066	13	10¼
		1704—	4,444,947	04	01½
		1705—	5,087,783	07	01
		1706—	5,693,529	08	10¼

It pleas'd God to bless the Arms of Her late Majesty, and of Her Allies, with so many signal Victories, during these five Years, especially in the last of them, *viz.* 1706. that the great End of undertaking this War, so clearly express'd in the above-mention'd Article, seem'd to have been fully

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answer'd, and the Power of the Enemy reduc'd to a just Balance.

On the 21st of *October* 1706, the Elector of *Bavaria*, in the Name of the *French* King, propos'd to open a Treaty of Peace, but this Offer was rejected.

		l.	s.	d.	
The Estimate of the War a- mounted to, in the Year	{	1707	6,180,413	18	02 $\frac{1}{4}$
		1708	6,381,926	06	01
		1709	6,713,645	05	04 $\frac{1}{2}$
		1710	6,734,043	09	11 $\frac{3}{4}$
		1711	6,851,468	16	07 $\frac{3}{4}$

The Reader will observe, That the Charge of the Year 1702, was a great deal short of Four Millions, and that in the Year 1711, it amounted to near double that Sum; and there was likewise a Debt incurr'd of Eight Millions; yet the Revenues of *England* were under such Anticipations, that she was not able to raise, within the Compass of any one Year, more than Two Millions and a half, over and above the Interest she was oblig'd to pay for the Debts she contracted.

These two Millions and a half came so far short of the Capital Sum that *England* was to furnish even in the least expensive Year of the War, as appears by the foregoing Account, that it is not to be wonder'd

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der'd the Nation should be sunk under so great a Debt in the Year 1711, that the bare Interest thereof amounted to three Millions.

For the Payment of this Annual Interest of Three Millions, the whole Trade of *England* was clogg'd with new Duties, from which the *Dutch* reap'd a double Benefit, since they did not only by this Means spare themselves, but as every Branch of our Trade suffer'd by new Impositions, theirs increas'd in proportion; for it is an establish'd Rule in Trade, that as it ebbs in one Nation, it must flow in another.

The Expences of the *Dutch* were all this time upon so easy a Foot, that from 1702 to 1711, no additional Duty was laid on their Trade, excepting only one *per Cent.* for Encouragement of their own Privateers; and this Duty was to determine with the War, because the Occasion for which it was rais'd would then cease. So tender were the *Dutch* of their Trade, which they call the Apple of their Eye; that when *England* furnish'd Ten Thousand additional Troops for the War in *Flanders*, on Condition they shou'd prohibit Trade with *France*, in the same manner the *English* had done, the *Dutch* accepted the Troops, but never comply'd with the Condition.

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The Emperor, during the War, mortgag'd Part of the Dutchy of *Silesia* to the *English*, and the Mines in *Hungary* to the *Dutch*; but these Mortgages were for such inconsiderable Sums, that the Imperial and Hereditary Revenues were in a much better Condition in 1711, than they were in 1702.

What was the State of the King of *Prussia's* Revenues, either in the Year 1702, or in 1711, it is neither a very easy Matter, nor of any great Importance, to specify; but, if a Judgment may be made of the Charge of that Crown in the War of 1702, by the Charge she was at in the War of 1688, we may conclude she did not suffer much by the War of 1702, since one of the Ministers of the late King of *Prussia*, then Elector of *Brandenburgh*, complain'd in the Year 1699, that 40000 Crowns, which is near 8000*l.* *Sterl.* had been issued out of the Military Chest of that Prince in the War of 1688, over and above the Subsidies he had received from *England* and *Holland*, and therefore demanded to be reimbursed.

The rest of the Allies did not only not contribute to the War, but, on the contrary, receive large Sums from *England* and *Holland*, for their own private Advantage, over and above the Payment of their Troops.

The

The Proportion of Forces to be furnished by *England* and *Holland* for the War of *Flanders*, was thus adjusted, *viz.* *England* to furnish Two Parts of Five by Land, and *Holland* the other Three; by Sea, *England* was to furnish Five Parts of Eight, and *Holland* the other Three. The Quotas were thus settled by the late King *William*, as Mr. Secretary *Vernon* acquainted the House of Commons, by his Order.

From the Year 1702 to 1711, \* both inclusive, such were the Deficiencies of the Allies, that *England* was oblig'd to furnish above this Quota, the Sum of Twenty Millions.

The Princes of the Empire being requir'd to pay their Quota, according to the Constitution of the Empire, they alledg'd their Inability, by pleading, that their Men were already engag'd in the Service of *England*; so that, all this while, we actually paid those Men, who were otherwise, by previous Contract, oblig'd to serve in the Common Cause: On the other side, the *Dutch* alledg'd, That they were under no other Obligation than to exert their Strength, *totis viribus*, and by conse-

\* *Vide*, Representation of the House of Commons, 1712.

quence,



quence, they alone were the Judges how far it was proper or convenient for them to exert their Strength.

It is to be observ'd, That *Great Britain* thus exceeded Her Proportion, tho' She neither did, nor was it possible for Her to gain any thing by a Land-War: At the same time the House of *Austria*, which had made such a prodigious Acquisition as that of the Electorates of *Bavaria* and *Cologne*, and several other Territories in the Empire; of the Kingdom of *Naples*, the Dutchies of *Milan*, *Mantua*, *Mirandola*, &c. in *Italy*; which Countries were thought sufficiently able to maintain 90,000 Men; and the *Dutch*, who had possess'd themselves of *Flanders*, and receiv'd all Contributions to their own Use, were still defective.

*Great Britain* then, being burthen'd above Her natural Strength, and having Two hundred forty four thousand and twenty Men in Pay, was fall'n under an immense Debt, the Annual Interest whereof amounted to three Millions, for payment of which Interest the Nation labour'd under a general Excise, excepting Bread and Flesh; the Duties apply'd in former Times to the Support of the Government, and many  
more

more since laid, in the course of two long Wars, were alienated for the Payment of the abovesaid Interest; so that the Taxes on Land and Malt, which every Body understood to be for extraordinary Uses, are now to be apply'd to the maintainance of such Ships and Guards as shall be necessary, even in Time of Peace, and are therefore, in effect, perpetual: (What would be our Resource in case of *New Wars*, is dreadful to imagine;) whereas, if Peace had been made in 1706, at which Time the End propos'd by the Declaration of War, was fully answer'd, and good Conditions offer'd, the Nation would have sav'd above Thirty Two Millions.

Between the Years 1706 and 1712, we made some Conquests in *Flanders* and *Italy*: On the other hand we lost two great Battles in *Spain*, the last of which was decisive, for, by the taking of our Troops at *Brihuega*, which caus'd the Rout of *Villa Viciosa*, the War was in a manner extinguish'd on that side; so that the Affairs of the Confederacy in general, were in a worse Situation in 1712, than they were in 1706.

However, the Finances of *France* being in great Disorder, and that Nation labour-  
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ing under a severe Famine, Monsieur \* *de Torcy* was sent in the Year 1709, to negotiate a Peace at the † *Hague*. Among other Things he offer'd in the Name of the King his Master, to abandon King *Philip*, and acknowledge *Charles* King of *Spain* and the *Indies*. But the Allies insisted that the *French* King should carry on the War singly against his Grandson; and without making any Allowance for the doubtful Events of War, the Forces that were then on the Continent of *Spain*, and the vast Extent and Distance of the *Spanish* Dominions in *America*, they required that the whole Monarchy of *Spain* and the *Indies* should be given up in the Space of two Months, which all the Powers upon Earth could not promise to perform.

In the Beginning of the Year 1710, Monsieur *Rouillé* conferr'd with the *Dutch* Ministers at *Gertruydenberg*, and the *French*

\* Monsieur *Torcy* came to the *Hague* with a Passport, which the States had granted without the Queen's Knowledge.

† On the 22d of *May* 1709, a Ratification pass'd under the Great Seal of *Great Britain*, setting forth, That the *French* Ministers had Sign'd the Preliminary Articles at the *Hague*; tho' in Fact the same had never been Sign'd by those Ministers.

King

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King then renew'd the same Proposal, that, in case of a Peace he would abandon King *Philip*, and acknowledge *Charles* King of *Spain* and the *Indies*; but the Proposal was again rejected.

In 1711, the *French* were recover'd from the Effects of the Famine; and the extraordinary Demand made by the Allies, that the *French* King shou'd himself make War upon his Grandson, had rais'd such a Spirit of Resentment and Indignation in his People, that they chearfully submitted to the *Dixme Royal*, which alone cou'd retrieve the ill Condition of his Finances; and which the *French* Court, until that Time, did not think safe to impose on them; a general Belief did then prevail in the *French* Nation, that the Allies had no other View in insisting, that the King should act so unnatural a Part, but in order to break off the Treaty, and perpetuate the War.

The breaking off this Treaty was indeed *Fatal*, for it was soon follow'd by the Misfortunes in *Spain*, which left King *Philip* entirely Master of that Monarchy.

In the same Year, viz. 1711. the Emperor *Joseph* dy'd, the Hereditary Countries devolv'd on King *Charles*, the only surviving Prince of the Male Line of *Austria*, who was likewise chosen Emperor; upon which  
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the King of *Prussia*, and other Princes of the Empire, the King of *Portugal*, and the Duke of *Savoy*, declar'd they would never consent, that the same Person shou'd be Emperor and King of *Spain*; the *Dutch* were likewise of this Sentiment; for, when an Article was propos'd by *England* to be inserted in the *Barrier Treaty*, That no Peace should be made till the whole *Spanish* Monarchy was reduc'd to the Obedience of the *Austrian* Family, the States General struck it out of the Counter-Project, tho' agreed to by the Queen in Council, and strongly recommended to my Lord *Townshend*, by Mr. Secretary *Boyle*: And that they have proceeded always upon this Maxim, appears from the following Clause of the second Partition-Treaty, enter'd into by King *William* and the States, on the 3d of *March* 1700, viz. *That the Kingdom of Spain and the Indies shall never be united, nor belong to the Person of him who shall be Emperor or King of the Romans.*

In Conformity to the Sense of this Article, and to the Universal Consent of the Allies, who would not, nor ever have yielded, that a King of *Spain* should be Emperor of *Germany*, Her late Majesty wrote to the several Electors in favour of King *Charles*, in so strong Terms, that he has since own'd  
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Her Goodness in his Behalf, as what was most essential towards raising him to the Imperial Dignity.

The Campaign of 1711, pass'd without any considerable Action, and the *Dutch* refus'd to contribute towards the Expence of Barracks and Forage; by which the Projects for Quartering the whole Confederate Horse under the Cannon of the Frontier Towns, and making Incurfions from thence, into the Heart of *France*, during the Winter, as well as opening the Campaign early in 1712, were intirely frustrated; notwithstanding the Duke of *Marlborough* represented, that if such Barracks and Forage were not provided, it would be impossible to gain any Advantage over the Enemy the following Summer, for they wou'd be superior to the Confederates by sixty Squadrons of Horse.

Things being in this Situation, that is to say, all Treaties for Peace being broke off, and the Measures that wou'd most probably have reduc'd the Enemy, meeting with Opposition from our Allies, Her Majesty thought it proper not to refuse a Passport, which the *French* King desir'd for a Person, whom he intended to send to Her with Proposals of Peace. The Passport was accord-

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cordingly dispatch'd, and \* *Monf. Mefnager* came hither invest'd with the Character of Plenipotentiary, and with a Letter from the *French King*, acknowledging her late Majesty Queen of *Great Britain*; that Prince having first acquainted *the States General*, that he did intend to address himself to the Queen on that Subject. Her Majesty received this Person favourably, and order'd Her Ministers to hear his Proposals: In Obedience to her Orders they conferr'd with him, and in some time General Articles were agreed to, by which the *French King* was oblig'd to give Satisfaction to all the Allies; the Points relating to *England*, were likewise adjusted, and were to take Effect in case that Satisfaction was given, and a General Peace concluded; not otherwise: for the late Queen was free from any Obligation whatsoever to the *French King*.

The States having been thus previously acquainted by the *French King*, that Proposals were to be made at *London* for opening a Treaty of Peace; the Proposals that were made having been immediately communicated to them by the late Queen, and

\* *Mr. Mefnager* coming into *England* with a Passport from the Queen, could not be look'd upon as an Enemy.

the

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the Conditions stipulated for Her own Subjects, being to take Effect only in case of a General Peace; it is evident She did, in the strictest Manner, adhere to the Terms of the Eighth Article of the Grand Alliance; by which it was agreed, That neither Party should treat without the Privity of the other. It has been objected by some, that the said Proposals or Preliminary Articles were properly a Treaty; but the *Dutch* themselves take off that Objection; for they were so far from thinking them a Treaty, that they declar'd them not to be a sufficient Foundation to treat upon.

Let us examine what has been the Conduct of the *Dutch* on the like Occasions; and we shall find, That when Articles were concerted at *Gertruydenberg*, those Conferences were held by the *French* and *Dutch*, without the Intervention of the rest of the Allies; for when the Imperial Plenipotentiary insisted, that he had a Right to be present, the *Dutch* refus'd to admit him; and when he complain'd to Prince *Eugene* of this Treatment, he receiv'd an Order from his Highness to follow the Example of the *British* Minister, whose Mistress he said, tho' she contributed more to the War than any of the Allies, did, however, resign Herself so entirely to the Wisdom of the

N 2

States,

States, that she trusted them *alone* with that Preliminary Negotiation. If we look farther back, we shall find Mr. *d'Aligre* made Proposals of Peace to the *Dutch* in *February* 1706; that Mr. *Mesnager* was in *Holland* most part of the Years 1707 and 1708, and convers'd with several of the *Dutch* Ministers upon the Proposals he brought with him from *France*, by the Connivance, and with the Privity of the States-General; as Mr. *Callieres* had formerly done in the Years 1695 and 1696; and all this without any Notice given to *England*.

Here it may be proper to observe, that it does not appear in the Register of the Resolutions of the States, that any of their Ministers had full Powers, in Form, to treat either with Mr. *d'Aligre*, Mr. *Mesnager* or Mr. *Callieres*, because the Ministers who serve the Prince or Commonwealth, in whose Dominion any Negotiation is transacted, are sufficiently authoriz'd, by the Offices they bear in the State, to treat with any Foreign Minister; but in case of concluding any Agreement, it is requisite all Ministers should be furnish'd with full Powers in Form, which full Powers are not for the Justification of the Ministers who exhibit them, but for that of the Party with whom they treat, and therefore the  
Origi-

Originals are always exchange'd, which they could not be, if the Person treating were to be justify'd by his own full Powers; for in that Case he would be oblig'd to keep them in his own Hands, to be produc'd as Evidence in his Behalf, whenever Occasion shall require.

Whoever considers the Nature of a Negotiation between Princes, or has Curiosity enough to look back into former Transactions of that kind, will easily perceive, that they always have and must owe their first Beginning to an Intercourse of Letters, or some private Conversations; and that even the greatest Obstacles are frequently removed by such Correspondences, before any Powers are granted in Form, and that this has been the constant Practice in all Nations, especially in *England*.

It was thought necessary to make this short Digression, in order to expose a groundless Notion by some entertain'd, that it is not lawful for One who is a Privy-Counsellor, and an avow'd Minister of State, to hear the first Overtures of a legitimated Minister of a Foreign Prince, upon \* ver-

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\* The Earl of *Portland* treated with Marshal *Boufflers*, by verbal Orders from King *William*.

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bal Orders from his own Sovereign, without a Special Commission for that purpose under the Great Seal.

Pursuant to the Preliminary Articles, or Propositions which had been communicated to the Confederates, conformable to the Grand Alliance, a Treaty was open'd at *Utrecht*, by their unanimous Consent and Approbation, in *January* 1712: And notwithstanding the great Obstructions given to it, was happily concluded *March* 31, 1713; all Care having been taken to prevent the Union of the Crowns of *France* and *Spain*, that the Nature of the Case wou'd admit of; since there was but one Prince of the Male Line of the House of *Austria*, now remaining, and that the Powers abovemention'd, had determin'd, that the *Spanish* Crown should never be united to the *Imperial*; speedy Measures were therefore taken for passing the Acts of Renunciation, which wou'd not have so easily been obtain'd, if King *Philip* had been in actual Possession of the Dignity of Dauphin of *France*; and the great Mortality among the Princes of that House, gave just Reason to apprehend that such a Thing might happen.

Whilst this Treaty was depending, a Cessation of Arms was proclaim'd for two Months,

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Months, as had been usually practis'd in the like Cases, lest any Event of War might interrupt the Course of the Negotiation; but that even those two Months might not be fruitless, the Queen insisted, and it was granted, that *Dunkirk* should be immediately deliver'd into her Hands, the Demolition whereof being of great Importance to *England*, She had formerly propos'd it might be made an Article of the *Barrier-Treaty*, but the *Dutch* rejected it. Her Majesty had all the Reason in the World to secure this Point of *Dunkirk*, by a Treaty, since it was not to be obtain'd by Action; for in the Compass of Fifteen Campaigns in the two last Wars, the States could never be prevail'd with to assist in any Way towards the Siege of that Town, *alleging*, it would be the Work of Two Years.

Certainly it was as lawful for the Queen to declare, without Consent of the *Dutch*, that her Troops should not engage, as it was for the *Dutch* to make the like Declaration without Consent of the Queen; and that the *Dutch* did make such Declarations, is still fresh in every Body's Memory; for, when the Duke of *Marlborough*, with the Concurrence of all the Generals, would have forc'd the *French* Lines, *August* 1703, the Deputies of the States refus'd to let

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their Troops march, alledging, That if the *French* should get the Victory, the United Provinces would remain expos'd to their Incurfions: That the Deputies of the States acted in the fame peremptory Manner on another Occafion, appears from a Letter of the Duke of *Mariborough's*, of *August* 19, 1705, wherein his Grace complains, in very moving Terms, "That at the Moment when he was going upon the Attack, when he had already flatter'd himfelf he fhould foon have congratulated their High Migh- tineffes on a glorious Victory, he found his Hands ty'd up by their Deputies." His Grace adds, "The Opportunity was too fair to be flipp'd; and that his Heart was fo full, that he could not forbear complain- ing, he had not the fame Authority in the Army that he had the preceding Year." Shall not the Crown of *Great Britain* have the fame Authority over her own Troops, that the States of *Holland* have over theirs? Or, fhall it be more criminal for a General in *Flanders*, not to follow the Confederates wherever they fhould think fit to lead him, when, by the pofitive Command of his Sove- reign, he was forbid to enter upon Action, than it was for a General in *Spain*, (after- wards Earl *Stanbope*) to feparate the *British* Army from that of the Confederates, at his  
own

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own Difcretion, without Order? Which *Fa- tal Separation* was foon follow'd by the Loss of himfelf and his Troops: And yet it would be hard Treatment to charge fo great a Mis- fortune upon that honourable Gentleman, whom all Parties own'd to have then acted with a true Zeal for the Good of his Country.

The Peace of *Utrecht* may be faid to have been as general as any that was ever made; for all the Parties in the War fign'd their Peace with *France* on the fame Day, excepting the Emperor and the Empire.

Here it is to be observ'd, *That the Em- perors of Germany have not made Peace at Ryswick, Nimeguen, or any other Congress, at the fame time with the reft of their Al- lies*, left the Princes and States of the Em- pire, who, as Sovereigns, have a Right to affist at fuch Conferences, fhould, by that means, have an Opportunity to juftify their particular Claims: It has therefore been an establish'd Maxim of the Imperial Family, to put off the Signing of their Treaties of Peace for fome time, that the Members of the Empire may be under the Necessity of fubmitting their Pretensions to the Im- perial Dyet, where the Emperor has more immediate Influence and Authority.

However, for Argument fake, let it be confider'd how far *England* had been blame-  
able

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able if she had made a Separate Peace. *England* came into the Confederacy rich, the Allies poor; *England* in the War was become poor, the Allies rich; the Allies, tho' nearest to the Danger, contributed least to the War; *England*, the most remote from Danger, bore the greatest Share of Expence: Whatever should be gain'd by the War in *Europe*, was, by express Agreement, to accrue to the Allies: *England* once intimated a Desire to be possess'd of *Ostend*; the Lords the *States* refus'd it with Indignation. The Trade of *Holland* was exempt from any additional Duties, some Branch of the Trade of *England* was every Year depress'd by new Impositions. The Trade of *Holland* was extended by the Acquisitions in *Flanders*, the Trade of *England* to that Country lay under particular Discouragements. Would not the Queen have receiv'd the Applauses of the Universal World, if, in these Circumstances, she had told the Allies they first broke the Contract, by not performing their Part in the War, and she was therefore no longer under any Engagements? Such a Conduct would have been justify'd by all Laws, Sacred and Civil, and of all Nations on the Earth. The *Dutch* would have had the least Pretence to complain, since it remains upon Record, That

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That \* the *Dutch* Ministers told those of *France*, in 1648, they would make a Separate Peace, alledging this only Reason, That it was for the Interest of their State, which they said was to be preferr'd to their Alliances. They made the like Answer to the Ministers of *Brandenburg* in 1678, at which time they made a Separate Peace, tho' that Prince had hazarded his own Country to save theirs.

But such was the Disposition of the pious Queen towards all her Allies, that she determin'd to push on the War with new Vigour, or to make such a Peace as should be to their common Satisfaction. With this View her Ministers did, by her Order, sign a Treaty with Mr. *Buys*, on the 18th of *December* 1711, whereby her Majesty was engag'd to prosecute the War *Jointly* with the States, to make Peace *Jointly*, to Guaranty the Peace *Jointly* when made, and to invite the rest of the Confederates into such Guaranty; but when the *British* Ministers explain'd to the States, that by making War *Jointly* was meant, by a proportionate Expence of each Nation, according to the Quotas settled by King *William*, and de-

\* *Vide* *Neuville's History of Holland.* Tom. I. Book IX. Chap. 10.

clar'd,



clar'd, † that the Ten Thousand additional Troops were given upon Condition, they should prohibit Commerce with *France* as *England* had done, the States refus'd to ratify the Treaty which Mr. *Buys* had sign'd on their Part.

When the Imperial Ministers were told the Queen expected their Master should bear his Proportion in the War; Count *Galas*, in a very solemn Manner, declar'd, by a Memorial in Form, That if her Majesty had exceeded in Expence, she was overpaid in GLORY; that the GLORY her Majesty had acquir'd, was infinitely more valuable than the Dominions acquir'd by the Emperor; and, that if the Emperor had Money to purchase, he would have out-bid her Majesty, and bought GLORY at a much greater Rate.

It has been given out by some, that the *Dutch* were willing to have come into the Queen's Measures, if she had thought fit to let them know what those Measures were: This is so far a Mistake, that it is apparent they would not come into her Measures, because they did know what they were, and that

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† This Treaty had been negotiated six Weeks, yet the full Powers bore Date but the 14th of the same Month of *December* 1711.

her

her Majesty had procur'd for her Subjects some Advantages in Trade; for Mr. *Buys* declar'd, That if *England* would let the States into a Share of those Advantages, they would neither obstruct the Treaty, nor endeavour to wrest it out of the Queen's Hands.

When they found the Queen resolv'd to make no Concession of that kind, their utmost Efforts were then employ'd to obstruct the Treaty: This gave but too fair a Handle to the *French*, to raise as many Difficulties on their Side, and to this Cause it is to be ascrib'd, that some Points were not obtain'd which might otherwise have been expected: To which may be added, that after the Loss of Twelve Thousand of their best Troops at *Denain*, and of three considerable Towns in *Flanders*, they could not reasonably hope for as good Terms as they might have had, if they had agreed to a \* Suspension of Arms, according to the Queen's Desire, by which those Misfortunes would have been prevented.

But in spite of all Opposition, the Queen pursu'd the Interest of her People,

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\* Among all Nations in the World, there has been generally a Cessation of Arms before the Conclusion of a Peace.

and

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and when She had procur'd for the Emperor an equitable and reasonable Satisfaction for his Pretension to the *Spanish* Succession, and for the *States-General* a sufficient Barrier, pursuant to the Grand Alliance, She made Peace with Her Enemies.

That this Peace was, upon the whole, beneficial to *Great Britain*, will appear from the following Considerations;

*First*, That several Advantages were obtain'd for this Nation above what had been ever ask'd before in our behalf, either at the *Hague*, or at *Gertruydenburg*, viz.\* *Hudson's Bay*, part of the Island of *St. Christophers*, all *Nova Scotia*, or *Accadia*, with the City of *Port-Royal*, now call'd *Annapolis-Royal*, the Island of *Minorca*, the Town and Castle of *Gibraltar*, and the Trade to the *Spanish West Indies*. Add to this, that more ample Provision hath been made for the Freedom, Rights, and Immunities of the *British* Subjects, than will be found in any former Treaty whatsoever.

\* Treaty of *Breda*, 1667, Art. 10. Lord *Hollis*, and Mr. *Coventry*, yielded up *Nova Scotia* to *France*. Treaty between *England* and *France*, for settling Peace in *America* 1686, Sign'd by the Lords *Sunderland* and *Godolphin*, yielded up *Newfoundland* and *Nova Scotia*, Art. 4th and 5th.

*Secondly*,

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*Secondly*, From the Increase of our Shipping, and the Improvements of our Trade, which will appear from the following Abstract, faithfully collected out of the Public Registers.

By what has been already said, it is believ'd the Reader is convinc'd it was absolutely necessary for the *British* Nation to have Peace, and that the Terms of the Peace She had, were advantagious to her Self and her Allies; who are so far convinc'd, that the Ends of the Grand Alliance are answer'd, and the Power of their former Enemy brought within due Bounds, that they have no farther Apprehensions from him, but think themselves at liberty to contest with each other for Dominion.

The

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† *The Advantages arising to Great Britain since the Peace, by the Encrease of the Navigation and Exportation of the Manufactures and Produce of England only, which is as follows, viz.*

**O**F Woollen Manufactures from England to Denmark, Norway, Sweden, East Country, Germany, Flanders, Portugal, Spain, Streights, Italy, Turkey, Jamaica, New England, New York and West Indies, &c.

Species of Goods.	The Amount of the Exportation of Woollen Manufactures to the several Places abovesaid, for the Years 1709, 1710, and 1711.	For the Years 1712, 1713, and 1714.	The Encrease of the Years 1712, 1713 and 1714, more than the Years 1709, 1710 and 1711.
Bays	127,492 $\frac{1}{2}$	158,903 $\frac{1}{2}$	31,411 pieces
Cloth of all Sorts	107,888	152,642	44,754 cloths
Cottons	273,017	525,227	252,210 goods
Kerfies	59,884 $\frac{2}{3}$	83,110	23,225 $\frac{1}{3}$ piec.
Perpets and Serges	8,250,805 lib.	8,643,505 lib.	392,700 lib.
Flannel	990,451 yards	1,213,949 yards	223,498 yards
Stockings	81,472 dozen	96,939 dozen	15,467 dozen
Stuffs	3,186,031 lib.	5,586,968 lib.	2,400,937 lib.
Says	495,457 ditto	619,262 ditto	123,805 ditto
Northern Dozen	19,385 ditto	52,151 ditto	32,766 ditto
Hatts	25,383 dozen	39,373 dozen	13,990 dozen
Lead	37,557 tons	41,383 tons	3,826 tons
<i>Manufactures.</i>			
Spanish Wool imported into England	13,986 bags	0,388 bags	6,402 bags
Cochineal imported	177,785 lib.	220,667 lib.	42,882 lib.
<i>Fish.</i>			
Red Herrings	115,819 barrels	235,492 barrels	119,673 bar.*
White ditto	7,897 ditto	15,459 ditto	7,562 ditto
Pilchards	23,737 hogsh.	60,565 hogsh.	36,828 hogsh.
Salmon	260 barrels	870 barrels	610 barrels

† This Account was printed in 1716.

\* The Fish herein specified is all exclusive of the Scotch and Irish Fishing.

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*An Account of the Gross and Net Produce of the Customs, from Christmas 1708, to Christmas 1714, viz.*

In the Year	Gross Receipt.	Net Produce
1709	2,306,784 08 01 $\frac{1}{4}$	1,342,833 14 04 $\frac{1}{2}$
1710	1,945,792 06 02 $\frac{1}{2}$	1,177,810 05 06 $\frac{1}{2}$
1711	2,248,679 17 02 $\frac{1}{2}$	1,202,040 12 09 $\frac{1}{2}$
1712	2,191,348 19 06 $\frac{1}{4}$	1,396,633 03 11 $\frac{3}{4}$
1713	2,488,968 09 07	1,454,868 17 06
1714	2,705,029 10 10 $\frac{1}{4}$	1,765,695 04 02 $\frac{1}{2}$
	13,886,603 11 06	8,339,881 18 04 $\frac{3}{4}$

Net Produce of the Year 1709 — 1,342,833 14 04  $\frac{1}{2}$   
 Ditto 1714 — 1,765,695 04 02  $\frac{1}{2}$

Encrease in the Year 1714, more than the Year 1709 — } 422,861 09 10  $\frac{3}{4}$

Encreased the Three last Years in Peace, more than the Three preceding Years in Time of War — } 894,512 12 11  $\frac{3}{4}$

O

Merchant

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*Ships from all Ports of England, clear'd from the Custom-house.*

From the Year 1709 to

1710—3550	} Ships.
1711—3750	
1712—4267	
1713—5807	
1714—6614	

Increased in the Years 1713 and 1714, being the Two Years since the Peace, more than the Two Years 1710 and 1711, in time of War in Number 5121 Ships, in Bulk three hundred thousand Ton.

*Memorandum*, That the Exchange and Benefit of Trade, from the several Parts of *Europe*, hath been so much to the Advantage of *England* since the Peace, as hath occasion'd the great Coinages of Money at the *Mint*, as will appear by the following Account:

There was Coined, and ready for Coinage, in Gold and Silver, in the *Mint* in two Years, ending at *Lady-day* last 2,435,000 *l.* whereas the Coinage in time of War was inconsiderable.

*English Wool* in the War was sold at 15 *s.* per Todd, and now at 18 *s.*

Cape

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\* *Cape Britton* Island was restor'd to *France* by a Treaty made 1632, and confirm'd by another Treaty 1667, by another 1686, by another 1697.

In *Newfoundland* the *French* are not permitted to fish in any Part formerly possess'd by *England*, nor even in that Part which was possess'd by *France* before the Treaty, and which is now yielded to *Britain*, but are confin'd to fish only in the uninhabited Part of the Country, and are not permitted to cut Timber, nor Wood for building Cook-rooms, Stages, Flakes, Boats, &c. and the Liberty they have of Fishing will therefore be impracticable; for, should they carry Timber from *France*, the Expence would be exceeding great, and put them upon a very unequal Foot with *Britain*, whose Subjects will, by that means, be able to under-sell them in all Markets. Besides, as the *French* are not permitted by the Treaty to remain upon the Land during the *Winter*, the Buildings they raise in the *Summer* will then be destroy'd, and they will be under a Necessity of bringing more Materials from *France*, and rebuilding their Cook-rooms, Stages, &c. every Year, which will, in all Probability, render the Fishery of the *French* in those Parts of little Use.

\* *Cape Britton* is an Island in the Entrance of the Gulph of *St. Lawrence*, is navigable quite round, and has never been thought to make a Part of *Accadia*.

## S E C T. VII.

*Of the Parliaments of King George I.*

To those very Factions, Cabals,  
 1714. and Contentions which render'd the  
 Crown so burthensome to the late Queen,  
 the Protestant Succession ow'd its Esta-  
 blishment and Security; for, as before  
 hinted, both Parties vied with each other  
 in paying their Court to the *new Family*;  
 by recommending all the Expedients that  
 could be devis'd, to strengthen their Title  
 to, and secure to them the Possession of,  
 the Kingdom.

'Tis no great Wonder, therefore, that,  
 tho' the Heir was absent, there was no  
 Interregnum; and that the Privy-Council  
 first, and the Lords Justices afterwards,  
 made so good Use of the \* Power in their  
 Hands, that the public Tranquility was  
 maintain'd, and that the Way was kept  
 both open and easy to the Throne.

\* They doubled the Guards, reinforced the Garrison of  
 the *Tower*, rais'd the Militia of *London* and *Westminster*, or-  
 der'd up a Regiment of Horse and Foot into the Villages  
 adjacent; besides, they sent for seven Battalions from *Flanders*,  
 order'd all Seamen to repair to the Fleet, and laid an Em-  
 bargo on all Shipping, made Provision for the Security of  
 the Sea-Ports, and lastly, took particular Care to keep all  
 quiet in *Scotland*, and *Ireland*.

In

In a Word, the Parliamentary Right of  
 King *George I.* was universally acknow-  
 ledg'd, and he found himself as quietly  
 possess'd of the Sovereignty, as if he had  
 no Rival to fear, nor any Disaffection to  
 be jealous of.

That therefore, the Scene was after-  
 wards so fatally chang'd, cannot be better  
 accounted for, than by the † Words of  
 the Lord *Guernsey*, afterwards Earl of  
*Aylesford*, in the House of Commons, be-  
 fore the first Year of his Majesty's Reign  
 was expir'd, *Viz. That the Disaffection of*  
*the People, if any, did not proceed from*  
*his Majesty, but from the Hardships his*  
*Ministers put on the Friends of the late*  
*Ministry.*

But to return to our immediate Bu-  
 siness.

The very Day the Queen died, the  
 Parliament met, according to the Provision  
 made by Statute 6 *A. Cap. 7. par. 6.* and,  
 tho, of the Completion before describ'd,  
 and hitherto victorious over the *Whigs* in  
 every Question, instead of making use of  
 the only Opportunity they were ever like

† To which may be added those of the Earl of *Anglesea*,  
 in the House of Lords, *Viz. That it was to be fear'd, violent*  
*Measures would make the Sceptre shake in the King's Hand.*

to have, in restoring the Clauses to the Act of Settlement, repeal'd by the said Whigs, in the Year 1705, they seem to have lost all their Spirit at once; for They complimented the *Hanover* Troops with their Arrears, amounting to upwards of 65000 *l.* whom they had before treated as *Runaways*; and not only granted a Supply for his Majesty's Household, but when one \*Honest Man made a Motion for *tacking* the *Place-Bill* to the said Supply, suffer'd it to drop, even withouta || Voice to countenance it. —

————— His Zeal  
None seconded, as out of Season judg'd,  
Or singular and rash —————  
As Milton sings of his singly-faithful Abdiel.

\* Mr. Wykes, Member for *Northampton*.  
|| The Reason of which extraordinary Behaviour is ascribed to their Fear of being *punish'd* with an *Opposition* at the next approaching Election, supported with the whole Weight, Interest, and Influence of the Crown: But if this Plea is admitted, it follows, That as, in Virtue of the Bill pass'd by the *Whigs*, in 1705, which provides, that the Parliament in being, shall continue to sit for Six Months after the Sovereign's Demise, every new King will have the House at the same Advantage, consequently may squeeze out of them almost whatever Revenue, and upon whatever Terms he pleases. — Among the *new* Powers acquir'd by the Crown since the Revolution, *This* may be justly plac'd; and of what Importance it is to the Public, that it should be repeal'd, may be gathered from the Weight and Interest which have accompany'd the Civil List ever since.

And

And thus having done the principal Thing they fate for, after a Session of Twenty-five Days, they were prorogu'd by the Lords Justices.

The King made his public Entry into *London*, *Sept.* 20, new modell'd the Privy-Council the 29th, was crown'd *October* 20, dissolv'd the Parliament *January* 5, and ten Days after, set forth a Proclamation for calling a new One; in which he makes no Doubt, that \* *in the ensuing Elections, his loving Subjects will have a particular Regard to such as shewed a Firmness to the PROTESTANT SUCCESSION when it was most IN DANGER.* An Instruction, however unprecedented, that was very punctually † comply'd with; it appearing by the first Division in the House, that the Court had 244 Voices to 138. And now the golden Scene opens, which was to be productive of nothing but Ease, Plenty, Freedom and Happiness.

The first Address of the Com- 1714-15.  
mons to the Throne, was a Decla-

\* This Proclamation was afterwards call'd by Sir *William Wyndbam*, in the House, *not only unprecedented and unwarrantable, but even of dangerous Consequence to the very Being of Parliaments:* For which *Liberty of Speech*, a Cry was rais'd of, *The Tower! The Tower!* but ended in a Motion for his being reprimanded in his Place; and he was reprimanded accordingly.

† There were no less than 112 Petitions relating to *Con- troverted Elections.*

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ration of War against the Party last in Power, and thereby provided very effectually to set the new King at Variance with Half of his Subjects; consequently rendered him dependent on one *Faction*, and obnoxious to the other—But the Favour they had thus secur'd to themselves, they took Care the Nation should pay for: For, overlooking the Precedent of Queen *Anne's* Civil List, which, for the general, did not exceed \* 500000 *l. per Ann.* they had recourse to that of King *William*; and, because he had 700000 *l. per Ann.* King *George* was complimented with the same; nor would they even admit a Clause to secure 300000 *l. per Ann.* out of it to the Prince of *Wales*; nor suffer an Address to be carry'd, *That his Majesty would retrench unnecessary Pensions, and grant no more for the future.*—This last Point, however, appear'd so gross, that it was carry'd but by three Voices.

Their next Job was to impeach all the Lords they fear'd or hated of High Treason, except Dr. *Robinson* Bishop of *London*, who, tho' the First Commissioner at the Treaty of *Utrecht*, as it was threwdly observ'd by

\* Out of which the set aside 50000 *l. per Ann.* for the abandoned Queen Dowager, &c. &c.

Mr,

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Mr. *Hungerford*, was allow'd the Benefit of his Clergy.

Fearing, however, with some Reason, that certain *Foreigners* had a greater Sway in the Cabinet than themselves, and that the *Act of Settlement* had left an Opening, thro' which they might slip into Places of Trust and Profit, the reigning *Whigs* wisely bestir'd themselves to stop the Gap; and, tho' oppos'd more out of Spleen than Principle by the *Tories*, carry'd their Point by fifty Voices.

The *Riot-Act*, which pass'd likewise this Session, no doubt the Distempers of those Times made necessary; but then surely it ought either to have been temporary, or should have been long since repealed: For, while that Yoke is upon our Necks, tho' we are at Liberty to preach *Resistance*, we have little or no Power to practice it; under whatever Grievances labouring, or compell'd by whatever Provocations: A Circumstance that, I fear, those in Power are but too well acquainted with!

The never-enough-to-be lamented Rebellion soon after breaking out, the *Habeas-Corpus Act* was again suspended; but one Man, Mr. *Skippen*, making any Objection; tho' *Monmouth's* Invasion afforded no such

Prece-

Precedent, even in the unhappy Reign of *James II.*

This most obsequious House of Commons, likewise, who, at first, found less than 11000 Men sufficient to keep the Peace, now thought \* it necessary to raise 3000 Dragoons and 4000 Foot, besides four Companies of Guards more; they also put all the Half-pay Officers on full Pay, and made a farther Provision for the Security of his Majesty's Person and Government by Bill.

As to † Money, the Court had all that was ask'd, and in kind Acknowledgement to the great Undertaker in those Matters, we find *Robert Walpole, Esq;* made first Commissioner of the Treasury, and Chancellor of the *Exchequer*, in the Recess between *September 21,* and *October 20.*

Having mention'd the Recess, it is necessary to observe, that the Business of the Session was clos'd *September 21,* when the Speaker made the usual Compliments, and the Lord Chancellor read the King's Speech:

\* It ought not to be forgot, that we were oblig'd to the *Dutch* for 6000 more.

† Note, In the first Year of his Majesty's Reign, *Bremen* and *Verden* were purchas'd of *Denmark*, and War was declar'd by *Hanover* against *Sweden*; which was one of the express Conditions of the Bargain: And now it was, that the *Baltick* began first to be visited with an annual Squadron of *British* Men of War.

But

But the Kingdom being then in Arms, it was held adviseable to have an *Adjournment* instead of a *Prorogation*, and found convenient afterwards to repeat the same Expedient five Times more; by which Means Two Sessions were run into One, but however bold, or perhaps dangerous, for Precedent, it was not complain'd of at that Time; for fear, perhaps, that *Disobedience* should be interpreted into Treason.

But this Piece of *Minister-Craft* is nothing to what follow'd in the Sequel of this extraordinary Session.

*January 9,* Both Houses met for 1715-16, the Dispatch of Business, and began with a *new Sett* of Impeachments; viz. of the Lords taken in the Rebellion; who, pleading Guilty, had Sentence of Death pass'd upon them; upon which, our most merciful Commons \* adjourn'd themselves, that they might not be teas'd with Petitions in their Favour; having first renew'd

\* The Lords, however, did not follow their Example; but on the contrary, petition'd in the Behalf of the unhappy Prisoners; tho' without Success: It was thought necessary, that the \*\*\*\*\* should be established in Blood; and even to set a Mark on those who inclin'd to Mercy; the Lord *Nottingham* and his whole Family being, soon after, turn'd out, for no other Crime.

the



the † Suspension of the *Habeas-Corpus* Act, and pass'd the Land-Tax Bill for Four Shillings in the Pound; which was opened with so extraordinary a Preamble, that it gave great Offence to the other House, as *prejudging ‡ Matters of a very high and important Nature, the Cognizance and Determination of which properly belong'd to the Peers*, who, thereupon, put in a Sort of general Protest against it.

The present House of Commons was now become so dear to the Court, and the People had borne with so much Patience the Artifice of tacking Two Sessions together, that a bold Stroke was now to be made, to establish them in their Seats, till the King was *established on his Throne*, and the Resentment which his Ministers had incur'd, abated: Accordingly, the Bill to repeal the *Triennial Bill*, and not only to make all future Parliaments *Septennial*, but even the PRESENT, was brought in by the Duke of *Devonshire* in the House of Lords, and by

† But not without Opposition as before: Experience having now shewn how dangerous it was to leave the *Liberty* of the *Subject* at the *Discretion* of the *Government*. It likewise produced a Protest in the House of Lords.

‡ Throwing the Guilt of the Rebellion on the late Administration.

them

them || pass'd and sent down to the *Commons*; who, *Hear O Heavens! and be astonish'd O Earth!* pass'd it likewise; tho', among a thousand unanswerable Particulars which were urg'd against it, Mr. *Snell* submitted the Following to their Consideration,

“ The Right of electing Representatives in Parliament is inseparably inherent in the People of *Great-Britain*, and can never be thought to be delegated to the Representatives, unless you'll make the Elected the Elector, and, at the same time, suppose it the Will of the People, that their Representatives should have it in their Power to destroy those who made them, whenever a Ministry shall think it necessary to screen themselves from their just Resentments: *This would be to destroy the Fence of all their Freedom; for if we have a Right to continue ourselves one Year, one Month, or Day, beyond our Triennial Term, it will unavoidably follow we have it in our Power to make ourselves PERPETUAL.*

“ To say that the passing this Bill is not to grasp to ourselves the Right of Elections, but only to enlarge the Time

|| But not without a very home Protest, which was signed by Thirty Lords.

of

of calling new Parliaments, is a manifest Fallacy: For whenever our Three Years are expir'd, we can no longer be said to subsist by the *Choice* of the People, but by *our own Appointments*: And 'tis a Jest to tell me I have a Right to That, which another hath a Right to take from me."

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"For these Reasons I cannot approve of this Bill; I think it an *open Violation* of the *People's Liberties*; or to speak most mildly of it, a *Breach of our Trust* in that Part which will most sensibly affect them; and of that ill Tendency in its Consequence, that as nothing but the *Security* of the *Ministry* can make it, at this Time, needful, so nothing but a *standing Force* can make it lasting."

But this worthy Member pleaded in vain, as did many others besides him. The Fate of the Bill was predetermin'd; and when \* pass'd, it was submitted to: (tho' the whole People had a Right to *protest* against it, both in Behalf of Themselves and their Posterity.) Of such Weight and Utility is a Standing Army!

\* By 264 against 121.

This

This Session, however, was not to be † clos'd, without another Sacrifice.

By the Act of *Limitation*, the King was not to go abroad without the Consent of Parliament: His Majesty had now a Fancy to visit the Land of his Nativity, and disdain'd to ask the Leave of his Parliament. His Parliament therefore, most complaisantly and generously, reliev'd him from that *Obligation* too; and thereby gave the Nation to understand, that the *Office* of a King might be supply'd by the *Name*.

There were yet some other Clauses in the Act of *Settlement*, or *Limitation*, which, by good Fortune, had not been repeal'd; among which was the Third, which provided, that *England* should *not be oblig'd* to engage in any *War* for the *Defence* of any *foreign Dominions*, &c.

But tho' this was still in Force, there was a Necessity, it seems, to deprive the good People of *England* of the Benefit of it.

It hath been already observ'd, in a Note, that the King, as Elector of *Hanover*, had purchas'd *Bremen* and *Verden* of *Denmark*,

† They likewise rejected a Bill from the Lords, allowing Council to all Persons proceeded against in Parliament, for Treason or Misprision of Treason.

and

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and that one of the Conditions of the Sale was, That he should instantly declare War against *Sweden*.

This his Majesty had punctually comply'd with; and as the Fruits thereof, we find, that a Project was set on foot, by the *Swedish* Minister here, for an Invasion of *Great Britain*. The very first Day of the Session, *Feb. 20*, the Discovery of 1716-17. the said Project was communicated to the *Commons* by Mr. Secretary *Stanhope*; and *April 3*, his Majesty by Message signifies, That to concert the necessary Measures against *Sweden* may require some Expence; and that he hop'd his *Commons* would enable him to make good his Engagements, &c. and tho, it was urg'd: *That it was UNPARLIAMENTARY to grant a Supply before the Occasion was known, and an Estimate of the Expence laid before the House*, a Supply was granted nevertheless; not indeed without much Opposition, and some Clashings even among the Ministers themselves: Many of whose Partizans, now, for the first Time, both spoke, and voted against the Court; which being imputed to the Influence of the Lord *Townshend*, he was remov'd from the high Office of Lord Lieutenant of *Ireland*, *April 9*, the very Day the Report was made, and the

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the next Morning Messieurs *Walpole*, and *Pulteney*, &c. resign'd.

The 12th, the House being in a Committee upon the Supply, General *Stanhope*, now at the Head of the Treasury, in the room of Mr. *Walpole*, moved for 250,000 *l.* to enable his Majesty to concert Measures against *Sweden*: upon which Occasion Mr. *Pulteney* declar'd, That he could not persuade himself, that any *Englishman* advis'd his Majesty to send any such Message; but he doubted not but the Resolution of a *British* Parliament would make a *German* Ministry tremble. Hence the House, it may be presum'd, was to understand, that the late *Resignation*, and the *Opposition* it produc'd, were owing to the Ascendancy of *Hanover*-Councils in the Cabinet, which the Gentlemen, abovenam'd, could not submit to countenance: But Secret History ascribes them to another Cause, *viz.* to the Ambition of one Man to be *sole Minister*; with what Probability, may best be gather'd from the Behaviour of that *one Man* afterwards.

It ought not to be forgot, that while we were thus embarrass'd with *Sweden*, apparently on the Account of *Bremen* and *Verden* only, we were on the Point of being likewise embroil'd with the \* *Czar*, because

\* See the Memorial of the *Russian* Minister to K. *George I.* *Hist. Reg.* 1720, p. 45.

he refus'd to withdraw his Troops out of *Mecklenburgh*, that *Hanover* might elbow herself into the sole Possession of that Duchy likewise, which she then held in Sequestration.

But tho' both these Particulars were canvass'd in Parliament, and very sufficient † Lights had been thrown on the Ends

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† *Gyllenburg*, the *Swedish* Minister, had been arrested *Jan. 29*, by the King's Order; and, in answer to the Vindication of that Action, sent by Mr. Secretary *Stanhope* to the Foreign Ministers, a Paper was soon after publish'd, in *French* and *English*, address'd to Mr. *Pettecum*, the Duke of *Holstein's* Minister; in which are to be found the following remarkable Particulars:

“ But to consider with you of those Circumstances, which can be of some Moment in the Accusation, whereof Proofs are not yet extant, you'll do well, I believe, Sir, to be exactly inform'd from what Time Count *Gyllenburg* did begin his dangerous Practices and these pernicious Intrigues; whether it was after that the electoral Court of *Hanover* had so unjustly declar'd War against *Sweden*, ONLY to get into the Possession of the Duchies of *Bremen* and *Verden*, and to maintain an unlawful and unseasonable Acquisition? Or, if it was after the Year 1715, when the eight Men of War join'd the *Danish* Fleet, and so render'd the same superior to that of *Sweden*, which prevented the latter from endeavouring to relieve *Straeljund*, which was the Cause of the King of *Sweden's* losing that Place, and of his being in Danger of falling into the Hands of his Enemies? Or, if it was since last Summer, when the *Czar*, *Sweden's* most formidable Enemy, had the Command of the *English* Fleet; and Admiral *Norris*, together with the *English* Minister, push'd on, by all possible Ways and Means, the Invasion which the *Northern* Allies design'd upon *Sweden*, to compleat its utter Destruction; the same Admiral being at hand to countenance that Expedition, had it been put in Execution?”

for

for which this 250,000 *l.* was demanded, and the Uses to which it was apply'd, upon Mr. *Walpole's* complimenting the Court with his Vote, it was carry'd in the Committee without a Division, and upon the Report, by a Majority of 21.

Advantage having been taken by Mr. *Shippen*, of the Quelling of the Rebellion, and the Prevention of the *Swedish* Invasion, to move for a Reduction of the *Standing Army*, it was most loyally over-rul'd, by a Majority of 105. The Government, however, about this Time, vouchsafed to disband 10000 out of about 32000.

An Article of about 2000 *l.* appearing to have been twice reckon'd, in the Bill of Charges, occasion'd by the 6000 *Dutch* Troops, employ'd in reducing the Rebels, it was complain'd of by Mr. *Pulteney* as a Fraud; Mr. *Robert Walpole* supported him, and gave vent to his Patriot Zeal with such an Overvehemence, that Blood gush'd out at his Nose, and he was forc'd to quit the House: The Debate, however, continued with great Heat till Eight in the Evening, when the Ministerial Party made a Shift to carry their Point, by obliging the Chairman to leave the Chair, by a Majority of Ten Voices: an Event that gave no little Satisfaction to those in Power; Mr. *Walpole*

having made himself almost as formidable to the Court, by joining the *Tories*, as he had been to the *Tories*, when in the Service of the Court.

But tho' this was the principal, it was not the only Struggle, between those who *stood*, and those who *fell*; and, during the Progress of the famous *Sinking Fund-Bill*, which was brought in this Session by Mr. *Walpole*, the House was diverted with a personal Squabble between that Gentleman and Mr. *Stanhope*; in which they abus'd one another very heartily.

No Advantages, however, were taken by the House, of the Slips that were made in the Heat of Passion on both sides: On the contrary, tho' it appear'd plainly enough, from the Controversy, that *Places* were sold, and Reversions obtain'd by those in Power, in a manner which scandaliz'd the whole Kingdom, Mr. *Hungerford* undertook to cover the *Nakedness* they had expos'd; instead of making a proper Use of it, by proceeding to such Enquiries, Censures and Punishments, as might deter others from following their corrupt Example: No Body seconding the only Motion (that the honourable Person might specify Names) which had a Tendency that Way.

But

But Mr. *WALPOLE* was now with the *Tories*, and the Opposition, as usual, pass'd for Righteousness.

His Brother, likewise, since so celebrated for his Negotiations, had the Honour to move, *That whatever Member should accept of a PLACE, should be render'd incapable of being re-elected*; as likewise to second Mr. *Hungerford* in a Motion, for *Leave to bring in a Bill for taking and stating the Public Accounts*; but the last was over-rul'd, and the first came to nothing—So unlucky was this Gentleman while a Patriot!

The Earl of *Oxford* had been committed to the *Tower*, on his being impeach'd by the Commons, *July 12, 1715*; and *May 27, 1717*, the *Lords*, by Message to the *Commons*, fix'd the *13th of June* for his Tryal: But, tho' almost two Years were elaps'd, they were not yet ready to prosecute; Misunderstandings between the Two Houses, arose in relation to Forms; the Zeal of the great Chairman of the *Secret Committee*, Mr. *Walpole*, was now burnt out; and tho' an Attainder was twice mov'd for, by Sir *William Strickland*, all ended in an Address, That his \* Lord-

\* It ought not to be forgot, that, among the Clemencies of this Reign, certain Drummers of the Guards were committed to the *Marshalsea*, for beating a Point of War before his Door, and congratulating him on his Deliverance.

ship might be \* *excepted* out of the *Act of Grace*; a Benefit that he never sought after, and which, it was now apparent, he did not want.

The Business of the next † Session, after voting a *Supply*, began with a Debate on the Standing Army: Upon which Occasion, let it be for ever remember'd, that Mr. *Robert Walpole*, now a *Country Gentleman*, appear'd at the Head of the Opposition, and that Mr. *Shippen*, for asserting, with some Qualifications, *That the second Paragraph of the King's Speech seem'd rather calculated for the Meridian of Germany, than of Great Britain; that it was the only Infelicity of his Majesty's Reign; that he was unacquainted with our Language and Constitution, and that our Government does not stand on the same Foundations with his German Dominions*, was sent to the Tower, by Order of the House; on a Division of 175 Voices against 81.

But this Severity against Mr. *Shippen* did not terrify several other Members from do-

\* This Act was clogg'd with so many more Exceptions (48 in all) that a Member cry'd out, upon the Reading of them in the House, *Who then can be sav'd?*

† About this Time a Quarrel broke out at Court between the King and the Prince of *Wales*, which occasion'd much Talk, and is perhaps not very well understood at this Day.

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ing their Duty, and endeavouring to save the expiring Liberties of their Country: among which Mr. *Jeffreys* deserves to be remember'd with Honour: His Speech, upon this Occasion, being so much a Master-piece, both in Matter and Manner, that I assure myself of the Thanks of my Readers for laying it before them, almost entire.

“ I observe in the Debate it has been taken for granted, That the Crown of *England* has a Right to a Number of regular Troops, under the Denomination of Guards. This is a Notion I can by no means give into. It was not so *ab Antiquo*.

“ The first Guards we hear of, the Yeomen of the Guard, which were constituted by *Henry VII.* being of another Kind, were in *Charles II's* Time. That Prince, immediately after his Restoration, got together a small Number of Guards, which, at first, seem'd to be meant only to add to the Equipage and Splendor of the Court. But it soon appear'd, that he had other Views; The Guards, by adding Men to Troops and Companies, and Troops and Companies to Regiments, were insensibly increas'd; so that in the Year 1677, they were got up to five thousand eight hundred ninety Men. Few Sessions pass'd, but they were taken

P 4

Notice

Notice of in the House of Commons, and though Money was not ask'd of the Parliament for their Support, yet they occasioned a general Uneasiness.

“ About that Time there was a Prospect of War with *France*, on which Pretence an Army was rais'd: But the War not proceeding, an Act pass'd, which gave the King six hundred and nineteen thousand three hundred and eighty-eight Pounds for disbanding the Army. When the Parliament met again, they were told from the Throne, ‘ That the Forces were still kept on Foot ‘ for the Preservation of our Neighbours, ‘ who otherwise had absolutely despair'd, ‘ and for preserving what was left in *Flanders*; and that the King was confident no ‘ Body would repine at the Employing that ‘ Money, which was rais'd for the disbanding of the Army, for the Continuance ‘ of it.

“ This did not satisfy the House, and they came to a Resolution, ‘ That it was necessary, for the Safety of his Majesty's Person, and preserving the Peace of the Government, That all Forces, rais'd since the ‘ twenty-ninth of *September* 1677, should ‘ be disbanded.’ Whereupon that Parliament, which went under the Name of the *Pensioner-Parliament*, was dissolv'd.

“ The

“ The new Parliament which met on the first of *March* following, had the same Apprehensions of regular Troops. Money was given to disband them, and the Act directed, that it should be paid into the Chamber of *London*; and Commissioners of their own were appointed to see it apply'd to that Use. Whatever Diffidence of the King this might imply, I do not find that any Member lost his Liberty for Freedom of Speech on that Occasion. The Opinion, *that* Parliament had of a Standing Army, appears in the Resolution they came to, ‘ That the Continuance of standing Forces ‘ in this Nation, other than the Militia, ‘ was illegal, and a great Grievance and ‘ Vexation to the People.

“ I shall now take Leave to consider the Arguments advanc'd for continuing sixteen thousand three hundred forty-seven Men for the ensuing Year.

It is said, ‘ That there is a disaffected ‘ Party in the Kingdom, which makes an ‘ Army necessary.

“ If this Argument will prevail, 'tis strange it has not prevail'd for six hundred Years past, since no Period within that Time can be assign'd, wherein this Argument was not as strong as in the present.

“ During

“During the long Controversy between the Houses of *York* and *Lancaster* touching the Right of Succession, in which each Side had its Turn of being uppermost, one would think it should have been natural for the prevailing Party, in order to their Security, to have insisted on the Continuance of their regular Troops, at least for a Time. There was a Pretender to the Crown, who had a strong Party in the Nation, and the Government was insecure till the Spirit of Rebellion was suppress'd. It might then, with an Appearance of Reason, have been insisted on, That the Taxes on the Disaffected should be increas'd; that those, who occasion'd the Expence, should bear the Burthen, till the Danger was over.

“Why this Sort of Reasoning did not then prevail is obvious. They saw it was unsafe to trust any Prince, even one of their own setting up, with such a Power, which, if ill apply'd, might enslave them.

“Another Period of Time I shall take Notice of, is that of Queen *Elizabeth's* Reign. The Disaffection to her in the Beginning of it was great, occasion'd by the Reformation in Religion, and the Application of Ecclesiastical Revenues to secular Uses. Many Plots there were against her Life. *Spain*, one of the greatest Powers in  
*Europe*

*Europe* at that Time, attempted an Invasion, and a more proper Juncture could not have happen'd, wherein to have ask'd for an Army. But instead of that, the greatest Part of the Forces then got together to oppose the Invasion, consisted of Militia; and as soon as the Armado was scatter'd, the Army was disbanded: That Queen being sensible, that the true, the only Support of the Crown, was the Good-will and Affections of the People.

“Another Argument brought for the Continuance of the Army is, ‘That the denying it does insinuate a Distrust of his Majesty.’

“How disingenuous and unparliamentary a Way of Arguing this is, let Gentlemen judge: For to draw that sacred Name into a Debate, must put every Body to Pain, who takes the other Side of the Question, in Regard it may be constru'd, that the stronger the Argument is, the greater is the Distrust.

“But this Reasoning, in my Opinion, turns quite another Way, and instead of implying a Distrust, argues the greatest Regard to the Safety of his Majesty's Person and Government. Who can answer for the Caprice of an Army, when once establish'd?

“Although



“ Although no Man living has a greater Esteem than myself for those honourable Gentlemen, who have with so much Bravery serv'd their Country in a military Way, nor shall any Man go farther in rewarding their Services; yet the common Experience of Mankind demonstrates, That it is not reasonable to expect an Army should be always in the same Humour. *Augustus Cæsar* liv'd in great Peace and Security with the Prætorian Bands, which had put an End to the *Roman* Liberties; but the Case was different with his Successors; for of twenty-six Emperors, no less than sixteen were pull'd to pieces by their own Soldiers. Did not the Army here in *England*, in the Times of Usurpation, if I may be allow'd to name them, in a short Space change the Government into ten several Forms? What Treatment did the Parliament, who had rais'd and supported them, meet with from them? They beset the House, repuls'd many Members who would have come in, others they dragg'd out even by the Legs, and at length they were all turn'd out, and the Doors shut up. I say this with the more Assurance, having had the Account from an honourable Person, lately dead, who was an Eye-witness of it. This  
Army,

Army, 'tis true, which consisted of about Seventeen Thousand Men, afterwards brought in King *Charles* the Second. But that Prince soon disbanded them, being well aware, that the same Army which brought him in, should their Minds change, might again turn him out.

“ This Objection, drawn from a Distrust of his Majesty, deserves another Name. 'Tis an honest, 'tis a reasonable Jealousy of the growing Power of the Crown, which those that went before us always avow'd. May it not with Parity of Reason be said, That because I will not consent, that the King shall by his Proclamation raise Money without Parliament, that this is a Distrust of his Majesty? Because I will not consent to give up *Magna Charta*, and accept of a new Patent at Pleasure, may not this likewise be call'd a Distrust of his Majesty? But suppose, from an Opinion of the Virtue of the Troops, from an Opinion, that Men in Power will not make an ill Use of it, that those who may be Masters, will chuse to continue Servants, that Men under the same Circumstances will not do the same Things, and that we should consent for *ourselves*, to deposite our Liberties in their Hands for a while, will any one say, that

that we have an Authority also to consent on the Behalf of those we *represent*? A Sum of Money, a Jewel, or other valuable Thing is committed to my Care; I, without the Owner's Consent, leave it in the Possession of another, although the Person with whom I left it, does not actually embezzle the Money, or detain the Jewel, yet do I break my Trust, by putting it into his Power so to do.

"It is self-evident that, by keeping up such a Number of Forces, who may, when they are dispos'd, controul the Power of the Civil Magistrate, the Strength and Security of our Constitution is at an End; and that we have no other Rule of Government left, than Will and Pleasure. The Notion I have of Slavery is the being subjected to the Will of another; and, notwithstanding the Rod be not always on my Back, or the Dragoon in my House, yet, if it is not in my Power to prevent its being so, I am no longer free. After *Augustus* had establish'd his eight thousand regular Troops, the *Roman* Constitution was as much at an End, as it was in *Nero's* Time. Although the Tyranny was not by *Augustus* exercis'd with the like Severity it was by his Successors; yet, from the Time his Power became irresistible, the *Romans* were Slaves.

"An-

"Another Argument us'd for this Number of Troops is, 'That there are no Thoughts of establishing them; but only continuing them for a Year.

"If the Notion be true, which no Gentleman in the Debate has deny'd, That the Number of disciplin'd Men now contended for, are sufficient to dictate to the greatest Number of undisciplin'd; I desire to know who shall dare to bid them go Home? 'Tis said, indeed, the Parliament will not provide for them: Why may not they then, as others in their Circumstances have done, provide for themselves? Is it reasonable to think, that Men will starve with Swords in their Hands?

"I am sensible, that I have too much trespass'd on Gentlemen's Patience. I shall say no more; but that Bodies Political as well as Natural, have their Periods: Governments must die as well as Men; ours is grown old and crazy; and tho' she hath surviv'd her Neighbour, yet I fear her Day approaches."—Thus far Mr. *Jefferies*.

But Words do not weigh so heavy as Gold; nor could either *Cicero* or *Demosthenes* carry any Point by the Dint of Rhetoric against the superior Influence of Power and Profit. Thus, upon the Issue of this  
Debate

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Debate, we find the *German Mode of governing by Standing Armies*, adopted by a *British House of Commons*; and all which the People gain'd by the Eloquence of Mr. *Walpole*, was a Saving of about 3 1000 *l.* upon the Estimate; by the Amputation of certain superfluous Expences in the Pay of General Officers, &c. which was carry'd by 14 Voices.

But, tho' the Opposition had received a great Addition of Strength, by the coming over of Mr. *Walpole* and Company, and there seem'd to be a Coalition between the *Tories* and these discontented *Whigs*, it appear'd the Last had their Reserves, and play'd fast and loose as their Managers gave the Word of Command.

Thus we find upon the Land-Tax-Bill, when it became Matter of Debate, whether it should be for 2 or 3 *s.* in the Pound, it was carry'd for the last by a Majority of 67.

Again, when the \* *Mutiny-Bill* was un-

\* When the *Mutiny-Bill* was brought into the House of Lords, the Army met with as warm an Opposition as it had before done in the House of Commons; the persecuted Earl of *Oxford* taking the Hint to say, That as long as he had Breath, he would speak for the Liberties of his Country, &c. Not only the Duke of *Argyle*, but the Lords *Cholmondley*, *Townshend* and *Isla*, speaking, voting and protesting against it, both when it was read and pass'd; and the Court carrying their Point, on the highest Division, but by 19 Voices.

der

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der Consideration of the Commons, the Clause to punish with Death, was carry'd but by 8 Voices; and yet when the Bill was read the Third Time, the said Mr. *Walpole* and Company deserted, and the Court had a Majority of 81.

Yet farther, when the Merchants \* petition'd for a free Trade with *Sweden*, alledging, that, whereas before the Prohibition they gain'd 30000 *l.* they now lost about † 90000 *l.* the Debate was adjourn'd till that Day Month, by 201 Voices against 211:

And to crown all, his Majesty having signify'd to the House, by Message, *That it would give Weight to his Endeavours, if a Naval Force be employ'd, where it shall be necessary; and hinted, That if he should be oblig'd to exceed the Number of Men granted for the Year, he did not doubt but the House would, at their next Meeting, provide for such Exceedings;* they blindly resolv'd upon an Address of Thanks, for his Majesty's unwea-

\* This Step of the Merchants was owing to a late Proclamation, for allowing the Importation of *Swedish Iron* from any Ports but those of *Sweden*; which was no more in effect, than to appoint the *Dutch* to be our Factors for that Commodity, at what Profit they pleas'd.

† A slight Specimen of the Advantages arising to this Kingdom from the Affair of *Bremen and Verden*.

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*ried Endeavours to promote the Welfare of his Kingdoms, &c. and Assurances that this House will make good such Exceedings, without a Division; tho' the Welfare of his Kingdoms was then no Part of the Question; and it was well known, we were entering into a War with ‡ Spain, to oblige the Emperor; for || electoral Views only; the ill Consequences of which we feel and lament at this Day.*

1718. During the Recess, the Blow having been struck in the *Mediterranean*, by Sir *George Byng*, the King open'd the next Session with a gracious Speech, in which he represents the *Spaniards* as the Aggressors; as having made it necessary for our Naval Forces to check their Progress; as rejecting all † Terms of Accommodation; and, therefore, he hopes a *British* Parliament will enable him to resent such Treatment, &c.

‡ Whose Ambassador had, about this Time, expostulated with our Court, concerning the great Preparations then making, to send a Fleet to the *Mediterranean*.

|| That is to say, to make good the Treaty between the Emperor and his Majesty of 1716; in which they mutually engage to defend and preserve each other, in all the Dominions they then possess'd, or, by mutual Consent, should afterwards acquire.

† One of which, as it afterwards appear'd, was a Sort of Promise of the Restitution of *Gibraltar*.

Ac-

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Accordingly, the Court-Party mov'd for an Address to signify their *entire Satisfaction* in those Measures which his Majesty had taken: But this was oppos'd by Many; and by Mr. *R. Walpole* in particular, who said, That the giving the Sanction desir'd, could have no other View, than to *screen Ministers*, who were conscious of having done something amiss, and who would make a War of *their own* the *Parliament's War*: Wherefore, said he, we ought rather to express our *entire Dissatisfaction* with a War, that was contrary to the Law of Nations, and a Breach of solemn Treaties, &c: But all was to no Purpose: the Question was put, and *entire Satisfaction* carry'd it, by 216 Voices against 155.

A War with *Spain* was, some \* Time after, declar'd in Form; which being communicated to the House, *Thanks* was again the Word; and a Resolution pass'd, to support his Majesty in it; (on a Division of 178 and 107) tho' it had been urg'd in the Course of the Debate, That the Concerns of *Britain*, viz. the Violations of the Treaty of Commerce, would have been overlook'd, provided *Spain* would

\* December 17, 1718.

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have

have accepted the Terms provided for her by the || *Quadruple Alliance*; nay, that it appear'd the King would have sacrific'd † something of his own (*Gibraltar*) to procure the general Tranquility: whence Mr. *Shippen* took Occasion to insinuate upon the Whole, *That the War was calculated for another Meridian.*

The \* Supply was the next Parliamentary Consideration, which, under the Heads of Land Tax (Three Shillings in the Pound) and Malt Bills, was carry'd thro' both Houses within the Compass of one Month, and pass'd in one Day. So strong was *H—r* Influence, and so excessive, *British Complaisance!*

|| Between the Emperor, *Great Britain, France*, and afterwards *Holland*: sign'd July 22, O. S.

† See Mr. Secretary *Craggs's* Answer to the *Spanish* Embassador's (Marquis de *Monteleone's*) Letter. *Hist. Regist.* 1718, Page 300.

\* The Estimates for the Service of the Year amounted to 2,257,582 l. 9 s. 10 d.  $\frac{2}{3}$ , Besides 110,000 l. for the Half Pay of Land and Marine Officers, 25000 l. for the Extraordinaries of *Chelsea* College, and 25000 l. only for the Half Pay of the *Sea Officers*. The House likewise, being inform'd by his Majesty, in a Speech from the Throne, that the Kingdom was threaten'd with an *Invasion* from *Spain* in behalf of the *Pretender*, &c. came into an unanimous Vote to support his Majesty with the utmost Vigour, and to desire his Majesty to augment his Forces by Sea and Land, in what Manner he should think fit.

I shall

I shall but just mention the Repeal of the most rigorous Clauses of the *Occasional Conformity* and *Schism Bills*, which took place this Session; for, tho' it was patroniz'd at Court, thwarted by the Opposition, and cavill'd at by the Church, it had its Foundation in *Equity*, remov'd an Oppression, and, therefore, became properly the Duty of Parliament.

They likewise order'd an Address for an Account of Pensions bestow'd on Members, and beneficial Grants directed to the Lords of the Treasury: But tho' the said Address was comply'd with, we do not find that any Lights were obtain'd by it, or at least that any Advantages arose from it.

The Parliament being prorogu'd April 18, notwithstanding the Fears which had been propagated of an \* *Invasion* from *Spain*, his Majesty made a Visit to his *German* Dominions, and the Summer was render'd remarkable by the Expedition to *Vigo*, under the Lord Viscount *Cobham*, the taking of *St. Sebastian's*, by

\* Which ended in a ridiculous Attempt upon *Scotland*, with about 300 *Spaniards*, who being join'd by 1000 *Highlanders*, were defeated by General *Wightman*, June 10.

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the Duke of *Berwick*, and the Destroying three large Men of War upon the Stocks, at *St. Antonio*, &c. by the *English* and *French* in Conjunction.

Upon the opening of the next Session, <sup>1719.</sup> *November 23*, the Speech was swallow'd in the Lump, as if become a Matter of Form only; and the Address, as usual, contain'd a Sort of *Engagement* to comply with all the King could ask: and, accordingly they voted 13500 Seamen, and 14469 for the Land Service, laid Three Shillings in the Pound upon Land, and provided all the other Ways and Means, necessary for that Year's Complement to the Views of the Crown.

But how pliant soever they appear'd, in those Points which fell heaviest on their Constituents, they prov'd immovable in the only Point which more immediately affected themselves: I mean the \* *Peerage-Bill*; which they threw out by

\* It had been introduc'd into the House of Peers, by the Duke of *Somerset*, the Session before; and provided among other things, That, in Lieu of the Sixteen elective Peers of *Scotland*, Twenty-five Peers, to be declar'd by the King, before the next Session of Parliament, should have hereditary Seats in Parliament; and, in case of Failure of any of these, the Defect was to be supply'd out of the *Scottish* Nobility.

That

by above 90 Voices, tho' indirectly recommended to them from the Throne, as a proper Method to transmit to Posterity the Freedom of our happy Constitution, and particularly to secure that Part of it which is most liable to ABUSE.

I shall make but one Remark on this mysterious Bill, *viz.* That, if it had pass'd into a Law, and stood till this Day unrepeal'd, it is probable, a certain Place had not been converted from the ultimate Resort of Justice, into a Sanctuary for C—ls.

The History of the Funds, I have touch'd upon but very slightly, as requiring more Time and Room than I have, at present, to spare. But I should be inexcusable, if I did not observe, That, during this Session, the *Bank* and *South-Sea* Com-

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That the Number of *English* Peers should not be enlarg'd, without precedent Right, beyond Six, above what they were at present; but as any of the said present Peers, or such Six new Peers shall fail, their Number may be supply'd by new Creations of Commons, natural born Subjects of the Kingdom.

That no Creation, for the Future, be made by Writ, nor any Patent extended beyond the Grantee and the Heir Male of his Body.

That these Restraints shall not extend to Princes of the Blood.

And that every Creation, contrary to these Resolutions, should be null and void.

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panies;

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panies, (one under the Protection of Mr. *Aislaby*, then Chancellor of the *Exchequer*, and the other under Mr. *Robert Walpole's*,) bid against each other for the Jobb of enlarging their Capital, by taking in by Subscription, certain Annuities and other redeemable Debts, and that the *South Sea* carry'd it: Since, by the Credit of their Triumph, the Managers of the Last were enabled to bring into play that pernicious \* Scheme, which then began to infatuate the whole Kingdom, and soon after reduc'd it almost to the Brink of Ruin.

But tho' Mr. *Walpole* was distanc'd in this Affair, he did not lose the next Opportunity which offer'd, to pay his Court to the King, by seconding Mr. *H. Pelham's* Motion, for an Address of Thanks to the King, for having, by Message, desired the Advice and Assistance of the House, in relation to his granting † Patents for erecting Corporations  
to

\* It is remarkable, That when the *South-Sea* Bill was first debated in the House of Lords, Earl *Cowper* compar'd it to the *Trojan Horse*, contriv'd by Treachery, usber'd in by Fraud, receiv'd with Pomp, but big with Destruction.

† During the Dispute between the *Craftsman* and *Gazetteer*, concerning the *Bank Contract*, an Account of this pernicious Project was given by the first, in the following Words;

“ It was call'd at first the *Reconciliation-Bargain*, but is better known, at present, by the Name of the *Two Insurance Com-*

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to insure Ships and Merchandizes: on the other Hand, no Trace is to be found of his supporting a Motion of Sir *William Wyndham's*, for an Account of the Debts and Arrears of the *Civil List*, which pass'd in the *Negative*; and, tho' an Address was voted, for an Account of the 250,000 *l.* granted in the Third Year of his Majesty's Reign, to enable his Majesty to concert Measures against *Sweden*, as likewise another concerning the *Pensions* and *Grants*, address'd for once before, Those in Power took Care to have the Session clos'd, without giving the Nation any Light into those dark Affairs; notwithstanding the King stood engag'd by his Answer to those Addresses, to give the House the Information they had, with so much Reason, desir'd.

June 11, his Majesty prorogu'd the Parliament, and the 15th, embark'd at *Greenwich* for *Hanover*, many of his Train having first very discretely dispos'd of their *South Sea* Stock; tho' the King, in his Speech,

*Companies*; which gave Money to the *Civil List* for the Privilege of becoming Two Bubbles, under the Sanction of an Act of Parliament; at a Time too when the Treasury was provided with Ways and Means for the Supply of it otherwise; and when the *South Sea* Directors, who were afraid of this unnecessary Fewel, offer'd to advance the Money for the *Civil List*, upon sure and easy Terms, rather than let those Bubbles take place.”

at

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at the Close of the Session, had taken very advantagious Notice of the *Foundation laid this Session for the Discharge of the Public Debts*; meaning the Act for enlarging the Capital of that Company before spoken of.

And now it was, that the great Patriot, Mr. *Walpole*, condescended once more to accept the Favour of the Court (or rather the \* Reward of his late special Service) in the Shape of Paymaster-General; the first Place in the Treasury, which he had enjoy'd before, having been bestow'd upon the Earl of *Sunderland*.

In *July*, the Congress of *Cambray* was open'd, and the 19th of that Month *South Sea* Stock, from 1000 *l. per Cent.* fell to 400 *l.* This drew on the famous *Bank Contract* of *September 23*, by which the *Bank* oblig'd themselves to circulate the *South-Sea* Bonds, and the *South-Sea* Company was to pay them 3,775,000 *l.* for the Job: But many Bankers and Goldsmiths failing about this Time, as likewise the *Sword-Blade* Company, this Expedient fail'd likewise: *South-Sea* Stock fell, in a Week's Time,

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\* We have been since told, by an *Occasional Craftsman*, That tho' this eminent Gentleman was not at the Head of the Treasury till the *April* following, he had bargain'd for it already, and gave himself the Airs, and exercis'd the Power of a Prime Minister accordingly.

to

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to † 150; and the Lords of the Treasury were forc'd to come to the *Bank* and subscribe 100000 *l.* in his Majesty's Name to keep up the Credit of the *Bank* itself.

While the Nation was in this dreadful Situation, a Proclamation was issued for proroguing the Parliament to the 25th of *November*, at the same time declaring, *They should then sit for the Dispatch of Business*; notwithstanding which, it was again prorogued to the 8th of *December*; when the King open'd the Session with a Gospel-Speech, signify-<sup>1720.</sup> ing *Peace on Earth, and Good-will towards Men!* recommending Prudence, Temper, Resolution, the finding out speedy and effectual Methods to restore public Credit, and proper Remedies for our Misfortunes, demanding Supplies, setting forth the good Condition of our Trade, and declaring we had the most flourishing Navy of any Nation whatever, to protect it: But not one Word of Enquiries, Censures, Punishments, &c. And, by way of Echo to the *British* Throne of Mercy, Mr. *William Pulteney* mov'd for an Address of Thanks; which Mr. *Shippen* would have had clogg'd with a Clause, signifying a Concern for the *Honour of Parliaments*,

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† Which was the Price it bore, *Feb. 2*, when the House accepted the Proposals of the *South-Sea* Company.

the



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*the Interest of the Nation, and the Principles of Justice*, but was defeated by a Majority of 261 Voices against 103.

As to the Supply, as before observed, it was become a Thing of Course, and so was carry'd *Nem. Con.* Ten Thousand Seamen were also found necessary for the Service of the Year; as was likewise a Land Army of 14294 Men: Mr. *Robert Walpole* taking upon him to convince the House, that 3 or 4000 Men were not worth disbanding.

With respect to the *South Sea* Conspiracy, an Order was made, tho' not without Opposition, for the Directors to lay before the House an Account of their Proceedings; and some Papers were deliver'd in accordingly: But before they were taken into Examination, the great *Patriot*, last mention'd, gave Notice to the Committee, that he had an Expedient to introduce for the restoring public Credit; as the main Foundation of which, he requir'd, *That all Contracts made with the South Sea Company, should remain in their present State*; which, tho' an apparent Ratification of many *fraudulent* Practices committed by the Directors, was comply'd with by a vast \* Majority.

\* In the Committee 259 against 119; in the House 232 against 88.

The

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The Way being thus clear'd, the mighty Secret was disclos'd; which was, to ingraft nine Millions of *South Sea* Stock into the *Bank*, and as many into the *East-India* Company; and this, we are told, for want of a better † Scheme, was, at that Time, accepted of.

But in the Middle of these Transactions, the *Malt* and *Land-Tax* \* Bills having been already agreed to, the *Mutiny-Bill* was introduc'd; which being complain'd of by Sir *Joseph Jekyll*, as something unusual so early † in the Session, and what seem'd to indicate, *That such a Hurry was intended to stop the Prosecution of the Authors of the present Misfortunes.* Mr. Secretary *Craggs* was pleas'd to wonder, *That ANY OPPOSITION should be made to so NECESSARY a Bill, especially by a Person who had receiv'd such signal FAVOURS from the CROWN.*

A Reproach, which so manifestly arraign'd the Integrity, and encroach'd on the Freedom of Parliaments, one would have thought, must have drawn down the Resentment of the whole House; but tho' the

† Mr. *Hutcheson*, upon the Report, insinuated, that if the Question might be re-committed, he had something more effectual to propose: But he talk'd to the Deaf.

\* For Three Shillings in the Pound. † *January 4.*

Lord

Lord *Molesworth* endeavour'd, by a warm Speech, to make them sensible of the Insult, no Notice was taken, and Sir *Joseph Jekyll* very prudently withdrew his Opposition to the Bill.

Soon after, Mr. *Robert Walpole's* ingrafting Project came again under Consideration; and, in the Course of a Five Hours Debate, was represented, as like to prove a dangerous Palliative, rather than an effectual Remedy to the present Distemper, and, being founded on a notorious Piece of Injustice, viz. the obliging the Subscribers of Annuities and Money, to take *South Sea* Stock at above double its Value, would rather farther hurt, than restore Public Credit. But Mr. *Robert Walpole* answer'd all Objections, and so manag'd it, that the Question was carry'd for the Ingraftment, by a Majority of 133: A Bill was accordingly order'd in, which gave Occasion to farther Debates, while passing through the usual Forms of the House; but, being vigorously supported by the Courtiers and their new Leader Mr. *Walpole*, it made its Way thro' all Opposition, and in the End pass'd into a Law; to what Purpose will be seen by and by.

With Regard to the Steps affected to be taken, towards the unravelling the great  
Mystery

Mystery of Iniquity, and to do the Nation Justice upon its Betrayers, the Commons prepared an Act for restraining the Sub-Governor, Deputy-Governor, Directors, Cashier, Deputy-Cashier, and Accomptant of the *South Sea Company*, from going out of the Kingdom for the Space of one Year, &c. and for discovering their Estates and Effects, and for preventing Alienations; and the Lords another, To disable the present Sub-Governor, Deputy, and Directors of the *South-Sea Company* from holding, for the future, any Office, Place, or Employment in the said Company, or the Bank, or the *East-India Company*, and from Voting upon Elections in the said Company; both which received the Royal Assent January 25.

The Commons, likewise, appointed a Select Committee of Thirteen, to enquire into all the Proceedings relating to the Execution of the *South Sea* Act: This was done Jan. 11. But, tho' they proceeded upon their Office immediately, and Mr. *Robert Knight*, the *South Sea* Cashier, had been, in part, examin'd, both before them and the House of Lords, he was suffer'd to make his \* Escape the  
22d;

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\* He was afterwards secur'd at *Antwerp*, at the Instance of the *British* Secretary at *Brussels*: But Ways and Means were

22d: in Consequence of which, it was urg'd, That Lights were wanting, and Evidence fail'd, to trace the Conspiracy to the Fountain Head, and fix the Guilt of it, where it principally belong'd.

According to the Report of the Secret Committee, (which it was not thought fit to make public) and the Examinations taken in the House of Lords, it appear'd that large Sums in *South-Sea* Stock had been given for procuring the passing the *South Sea* Act, (see last Session,) to several \* Persons both in the Administration and House of Commons (of whom Lists were handed about at that Time,) and this the Lords voted to be a notorious and dangerous Corruption: The Commons, likewise, came to several Resolutions on the Report of their Secret Committee, specifying the several Frauds and Breaches of Trust which the

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were found to trump up an obsolete Privilege of the States of *Brabant*, to countenance the Emperor, for refusing to deliver him up (as he was requested to do by his Majesty, at the Instance of both Houses) till he made his Escape a Second Time, together with the Serjeant who had him in Charge. He hath of late receiv'd and pleaded his Pardon.

\* No less than Forty Persons, as well Lords as Commons, were nam'd: and about 300,000 *l.* had been given away in Brokers Names, who purg'd themselves from having any Concern therein, upon Oath.

*South*

*South-Sea* Directors had been guilty of: and among the Rest, That the taking in, or holding of Stock by the *South-Sea* Company, for the Benefit of any Member of either House of Parliament, or Person concern'd in the Administration, &c. without any valuable Consideration pay'd, or sufficient Security given, &c. and the Company's paying or allowing such Persons the Difference arising by the advanc'd Price of Stocks, were corrupt, infamous, and dangerous Practices, highly reflecting on the Honour and Justice of Parliaments, and destructive of the Interests of his Majesty's Government.

But, notwithstanding these Resolutions, when that Part of the Report came under Deliberation, which charg'd Mr. *Knight* with taking in 50,000 *l.* Capital Stock for the Use, and on the Account of the Earl of *Sunderland* (who, as yet, was at the Head of the Treasury) upon putting the Question, it pass'd in the Negative, by a Majority of 233 Voices against 172.

To sum up this whole Affair in a few Words (which would require a Volume to detect and expose as it deserves,) Tho' the Mischiefs done by this infamous Conspiracy was visible to the whole World, and no *Skreen* whatever was broad enough to cover the Guilty from the Knowledge

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and

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and Repentments of the Public, the public Vengeance fell only upon Mr. *Aislaby*, (who was made the *Scape-Goat* of the Ministry,) the Directors, and the Estate of Mr. *Craggs* Senior, then in his \* Grave, in the Shape of Expulsions, Fines, and Disqualifications.

As the Majority without Doors had tasted of the Calamity, there is but too much Reason to fear the Majority within either partook of the Guilt, or were prevail'd upon to join in compounding the Felony: Not only Court-Lords, but Court-Ladies, had put in for a Share of the Spoil; nor could hardly any Suspicion arise, but had some plausible Circumstances to warrant it.

The State-Undertakers of those Times, therefore, study'd only to skin over the Wound, not to lay it open; to quiet the Clamours of the Sufferers, not to do them Justice; and rather to serve themselves than the Public: Thus we are not to think Mr. *Aislaby* more guilty than Lord

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\* As was likewise his Son, the Secretary of State, who dy'd just a Month before his Father; Earl *Stanhope* also, the other Secretary, dy'd Eleven Days before his Colleague; which two Vacancies were soon supply'd by the Lords *Townshend* and *Carteret*.

Sun-

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*Sunderland*, because one escap'd and the other was punish'd: His Lordship, it may be presum'd, bought his Peace at the Price of his Office, and as Mr. *Aislaby*, perhaps, was not altogether so forward to compound, it was necessary he should be remov'd: Both Places were now to be enjoy'd by the same Person: and it must be acknowledg'd a notable Strain of Policy, by one and the same Measure, to punish a Delinquent and remove a Rival.

By the *South-Sea Act*, the Lords of the Treasury were empower'd to see that the Directors did not abuse their Trust: But these Powers of theirs they made over to the Directors themselves; and the House of Lords justify'd them for so doing; on a Division of 63 Voices against 28.

Of this Circumstance, however, it doth not appear that the Commons avail'd themselves, in their Share of the Prosecution; which gave Mr. *Aislaby* great Advantage in his Defence before the Lords: For, as he shrewdly insinuated, if he was guilty, the other Lords of the Treasury could not be innocent: And yet we have seen that the First Lord in the Commission, had the good Luck to meet with a Parliamentary Absolution.

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The great Mr. *Walpole's* Ingrafting Scheme soon appearing to be, as at first represented, a Quack-Medicine, which only patch'd up the Constitution, without repairing it, the House enter'd into farther Deliberations for the Restoring of Public Credit; and in Order thereto, resum'd the Advantages they had before given the *South-Sea* Company, by dividing the Capital Stock belonging to the Company, in their own Right, and discharging all the Loans upon pledg'd Stock at 10 *per Cent.* which amounted to an immense Sum: and by Way of Equivalent to the Company, remitted \* Five of the Seven Millions due from them to the Public, as the Consideration of the Bargain, their Managers had so infamously abus'd.

But, tho', in every Step of this iniquitous Affair, the close and intimate Connection between the Court and the Company appear'd in such a glaring Light, when a Motion was made for incapacitating Directors of the Three Great Trading Companies from being elected Members, it was oppos'd by Mr. *Walpole*, and consequently thrown out by 253 against 166.

\* The other *Two* were remitted afterwards.

Certain

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Certain other *Jobs* remain to be mention'd before we come to the close of the Session, *viz.*

The Plague raging violently in the South of *France*, and suitable Apprehensions being entertain'd here, a Quarantine-Bill was brought in and pass'd; which empower'd the Government to remove any infected Person to a Pest-house, or any well Person out of an infected Family; as likewise to draw Lines, or Trenches round any Place infected: with Penalties unknown to, and utterly irreconcilable with, a free Constitution.

June 16, His Majesty by Message, requir'd of the House to be \* enabl'd to make good a Subsidy-Treaty, he had enter'd into with *Sweden*: Upon which Occasion my Lord *Molesworth* signify'd, That we were become the Allies of the whole World, and the Bubbles of all our Allies. That our Treaties with *Sweden* contradicted each other. That the Engagements in our last, interfer'd with our Obligations to *Denmark*, and were directly opposite to the Measures formerly concerted with *Russia*. That if the *Czar* was to part with

\* With a Sum of 72,000 *l.*

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his

his Share of the Spoils of *Sweden*, *Hanover* ought to do the same. That if the *Swedes* were become miserable, they deserv'd it, by their *tame Submission* to a despotic Prince, and by exhaulting their whole Substance in Support of his unjust and ambitious Designs, adding, *That any Nation who follow'd their Example deserv'd their Fate*. He then imputed the late Rupture with the *Czar*, to the Affair of *Mecklenburgh*. Urg'd that *England* ought not to intermeddle with the Affairs of the Empire. That Naval Stores was all we wanted for the *Baltick*. That HEMP, indeed, was a very necessary *Commodity*, especially at this *Juncture*. But that, with due Encouragement, we might be supply'd with it from our own Colonies.—His Lordship had his Speech, and the Court the Money, by a Majority of 61.

And *July 11*, his Majesty by another Message, gave the House to understand that he wanted no less than 550,000 *l.* to disencumber his Civil List; which, large as it was, would not serve to keep his Majesty out of Debt. He nevertheless promis'd to retrench, &c. and condescended even to propose how the Sum, in Request, might be rais'd *Viz.* by a Deduction to  
be

be made out of the Salaries and Wages, Pensions, and other Payments of the Crown.

Mr. *Skippen* was the only Man who had the Honour to treat this Message as it deserv'd; among other things observing, That if not only the Sum, but the Manner of raising it, was to be pointed out to them, it was making the House a perfect Parliament of *Paris*, and that if Things came to this Pass, it would be easy for any King, whenever he thought fit, to make himself arbitrary.

Nobody seconding this Speech, the Affair was referr'd to the general Committee; in which an Endeavour was us'd, to make the *Civil List* contribute to the Discharge of the National Debt as well as the King's, by moving first for 1 s. 6 d. in the Pound on all Salaries, &c. but that being over-rul'd it was carry'd for a Shilling, Half of which was to answer the King's Demand, and Half to go to the public Service: But, tho' the Numbers were now 153 to 63, when the Resolution came to be reported, the House disagreed to the Committee, and the Court carry'd it for Six-pence only by 132 against 83: By which Means the King's Debts were taken Care of, and those of the Nation dropt: And upon this Occasion, we have

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the first public Hint of a Misunderstanding between that *Par Nobile Fratrum*, Messieurs *Walpole* and *Pulteney*; the Last reproaching the First, with altering his Mind, as he was *in* or *out* of Place; and hinting, that as he might be *out again* in a Twelvemonths Time, so he might then be of another Opinion. To which Mr. *Walpole* reply'd; It was possible he might be *out* again: But whenever that happen'd, he should be glad to \* resign to a Person of so much Merit as Mr. *Pulteney*.

Upon *April 29*, at the Motion of Mr. *Shippen*, an Order had been made for the Secret Committee to enquire what Officers of the Revenue had employ'd the public Money in their Charge, to the Purchase of Stock, Subscriptions, &c. who, *June 5*, among several other scandalous Particulars, charg'd Mr. *Hampden*, then Treasurer of the Navy, and others, with Practices of this dishonest Nature: But Methods were found out to divert the House from coming to any Resolutions thereon, till the Session was brought to a Period.

\* This very Event hath since partly taken Place: But whether by Choice or Compulsion, seems to remain still a Question.

Hence

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Hence it appears, That it was safer to join in the Corruptions of the Times, than to detect and expose them: Thus *Mist* the Printer, having set forth a Journal, which gave great Offence to those who were gall'd in it, the Commons order'd the said *Mist* † to be committed to *Newgate*; resolv'd upon an Address to the Throne, expressing their Abhorrence of the said Libel, &c. &c. and appointed a Committee, not only to enquire into the Authors, &c. of that Libel, but of all other Papers distinguish'd by them, with the same Appellation; who, in their Report, were pleas'd to involve all the obnoxious ‡ *Journalists* of the Times, *Whig* as well as *Jacobite*, in the Persecution commenc'd against *Mist*; and, if they had not wisely kept out of the Way, 'tis odds but they had shar'd in his Punishment.

For the same Reason, therefore, that so much Clemency was visibly shewn to the *Public Robbers*, and so much Rigour to the *Public Advocates*, it must be concluded, that the Act for a *gracious, general, and free*

† A Proclamation was issued, offering a Reward of 200 *l.* for the apprehending of Two of his Servants.

‡ *Charles Molloy*, Esq; *Samuel Foster*, Esq; and Mr. *Thomas Gordon*.

*Pardon,*

*Pardon*, with which the Session concluded, was obtain'd by the Interest of the first, and not with the least View of shewing Mercy to the last.

As both Houses were prorogu'd without the usual Speech, and but for three Days, it must be presum'd, that the Necessity of their being call'd together again was very clearly foreseen ; tho' his Majesty, in his Speech, upon that Occasion, *July 31*, is pleas'd to call his Summons both *sudden* and *extraordinary*.

However this be, the sole Business that was done, was to prepare a Parliamentary Drench to silence, if not satisfy, the *Proprietors* of the *Redeemable Funds* ; the Dose was form'd of a Dozen Ingredients, and was call'd, *A Bill for making several Provisions to restore Public Credit, &c* : But this not giving Satisfaction to the Patients it was design'd for, they presented a Petition, praying to be heard by their Council against it, which was order'd to lie upon the Table ; They, moreover, accompany'd this Petition of theirs in a Body, and waited the Event in the Lobby of the House ; which gave the Hint to some of the leading Members to move, that Certain of the *Westminster* Justices might be order'd to attend ; which they did accordingly ; and were directed by the

the Speaker to *clear* the Passages to the House of the riotous People which infested them.

This, with a Guard of Constables, they undertook, but could not accomplish, till they had caus'd the Proclamation against *Rioters* \* to be read.

By the 10th of *August*, this Qualifier having pass'd thro' all the Forms, the King came to the House, and with Thanks, &c, as usual, put an End to this *occasional* Session.

We are now come to the last Ses-<sup>1721.</sup> sion of this assuming Parliament, which having been return'd for *THREE* Years, continued themselves, by their *OWN AUTHORITY*, for *SEVEN* ; and, tho' compos'd of *Whigs*, within that Time, went farther in the impoverishing and enslaving their Fellow-subjects, than all their Predecessors together from the Restoration.

The King's opening Speech was admirably well adapted to disarm Disaffection, and bespeak the Public Favour, at the next

\* Upon which Occasion, some of the Petitioners took the Liberty to say, *That they came as peaceable Subjects and Citizens, to represent their Grievances ; and did not expect to be us'd like a Mob, and Scoundrels* : To which others added, (to the Members going out) *You first pick our Pockets, and then send us to Goal for complaining.*

gene-



general Election.—All was Grace and Goodness, Paternal Concern and Public Spirit.—It publish'd the glad Tidings of a general Pacification, recommended the extending Commerce, express'd a Sense of the Public Grievances, and a Desire of having them diminished.—Manna! Honey! and the Honey Comb!

That an Address of Thanks for so palatable a Speech, was easily carry'd, will scarce be wonder'd at, in an Age so complaisant as ours; nor that a Supply should be granted as soon as ask'd; Supplies being now the chief, if not the only, End of Parliaments.

But that, when it had been declar'd from the Throne, we were at Peace with all the World, the Necessity of a † *Standing Army* should not only be insisted upon, but allow'd, might very well astonish those who remember'd, that King *James's* Standing Army, in Time of Peace, was one of the Pleas for the Revolution; and who were still ridiculous enough to fancy, that Votes and Resolutions were govern'd by Reason and Conscience, not Passion and Interest.

But in Seven Years Time, a *Standing Army* was become Part of the Constitution; and was, therefore, already consider'd as a

† 14,294, New Officers included, besides 1859 Invalids.  
Thing

Thing which was to pass of *Course*. To have the *fingering* of a mighty Sum was the grand Point the Ministers had in view: The Inclinations of the People were not to be trusted; but their Wants and Vices, their Venality and Corruption, were a *Soil* that promis'd the richest *Returns*; provided the Golden Grain was liberally scattered, and the Glebe properly prepar'd to receive it.

To answer all these politic Ends, by the most plausible Means, the Ministers, or, at least, their Tools, express'd themselves in a very pathetic Manner, on the *overgrown* Debt of the Navy, amounting to 1,700,000*l.* 1,100,000*l.* of which were *said* to have been out-standing ever since the Death of Queen *Anne*, tho' never once thought of before: To appear yet more moderate in their *Demand*, they likewise gave the House to understand, that they *desir'd* but One Million, this Year, towards the Discharge of it; and, so *irresistable* was *Court-Eloquence*, that the round Million was carry'd without even the *Ceremonial* of a Division.

This bold Stroke, however, gave such an Alarm to the *Minority* in the other House, that they took the Premises into a very serious and thorough Consideration; and in the Course of several Days long and vehe-

vehement Debates, made it appear, that the Navy Debt, instead of being 1,100,000 *l.* at the Death of the Queen, as had been suggested, was no more than 764,088 *l.* 3 *s.* 11 *d.* Net, on the 31st of December 1717: That the Residue of the Debt was grown since that Time: That *several* irregular, unprecedented, and unwarrantable Practices (by them † enumerated) had contributed to the Growth of the said Debt, but more especially our *Baltick* and *Mediterranean* Expeditions, in which the Service of *Great Britain* was no wise concern'd, and by which her Interest was greatly endanger'd: &c. In a Word, so high was the Dispute carry'd, that it gave Rise to a Question, *Whether the Act of Settlement had not been broken*; which pass'd in the Negative; as, indeed, did all others that tended to throw the necessary Lights on our *Northern* Transactions; which, in Return for annual Fleets and annual Subsidies, had produc'd nothing to us (whatever they had done to *Hanover*) but the empty Guaranty of *Sweden* to the Protestant Succession, now so fenced in upon all Sides, as to be no longer in Danger.

† See the Lords Protefts for the Year 1721-22, which, in this one Session only, amounted to TWENTY-SIX.

To

To the Debates of the Lords, during this Session, we owe likewise a Record, that the *French* Navy was recruited, with Men of War of 60 and 70 Guns, built in the Ports of *England*; and that our virtuous Government conniv'd at it.

And by a Protest, Feb. 20, we find, that the Public Debt had increas'd, between the 31st of December 1717, and the 31st of December 1720, at least 2,300,000 *l.* notwithstanding the Sinking Fund, within that Time, produc'd 1,910,385 *l.* 14 *s.* 6 $\frac{3}{4}$ .

But to return to our Representatives:

As another *Sweetener*, the *Quakers* were indulg'd with a Privilege of using their Solemn *Affirmation* in the Place of an *Oath*; and a Bill was brought in by Mr. *Hutchinson*, for the better securing the Freedom of Elections; the Necessity of which he exemplify'd in the following memorable Words:

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

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MORE than *private Purfes* at their Command."

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

† This very Expression was, before, made Use of by Mr. *Hutcheson*, in his excellent Speech on the *Septennial Bill*; and is there explain'd to be a Design, *To govern the People by their Fears*, which is the genuine Characteristic of a Tyranny. In the same Speech he hath, likewise, made Use of the following remarkable Expressions, *viz.*

*I beg, Gentlemen, to consider, whether a greater Curse can fall on any People, than to serve such a Parliament as THIS (which he had before describ'd) and entail'd upon them.*

*Note, This Gentleman became so obnoxious to those in Power, for his Attachment to his Country, that he was oppos'd at *Hastings* by *William Pulteney*, Esq; now Earl of *Bath*, under the Patronage of the Duke of *Newcastle*, who made Interest for him in Person; and Ways and Means were found to render his Election, in the next Parliament, for *Westminster*, void; tho' return'd by a Majority of 1784.*

And

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And in another Place,

"Ministers would then be neither able to SKREEN themselves, or their Friends, against your *Enquiries*, and the boldest and most enterprizing of them, would be made to tremble at the Apprehensions of your *Animadversions* upon them: Nor should we then (it is to be hop'd) sit tamely here, and see our Country harrass'd with the Expences of *fruitless Expeditions* Abroad, and with the Maintenance of a *Standing Army* at Home, dangerous to our Constitution and Liberties."

Thanks to the Season, not the Virtue of our Ministers or Members, this Bill was suffered to pass thro' the House; but then it was only in order to its being rejected by the Lords; which was done upon the second Reading; not indeed without a vigorous Opposition, nor unaccompany'd with a very severe Protest; which, (tho' one of those many obnoxious ones that were ordered, this Session, to be expung'd by the Majority,) still bears witness, that it had Truth for its Foundation.

Being now to take our Leave of this extraordinary Parliament, it may possibly be expected that I should give a Summary of its Merits: But, instead of drawing a Character, I shall content myself with relating a Fact.

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Sir

Sir *John Cope*, Baronet, accuses Sir *Francis Page*, one of the *Barons* of the *Exchequer*, of endeavouring to corrupt several of the leading Members of *Banbury* Corporation, against the next Election; and, in Support of his Charge, produces the Mayor of *Banbury*, and several other Persons, who declare at the Bar of the House, (and offer'd to the same upon Oath, which was refus'd) That the said Mr. *Baron Page*, being in the Town-Hall, propos'd a Candidate to them, to represent that Place in Parliament: That, according to the Example of other Boroughs, they stood upon Terms; such as the having their Streets pav'd, an Augmentation made to their Vicarage, and a School-House built; the Charge of all which Items was estimated at 5 or 600 *l*. — That the worthy *Baron*, in his Reply, pleaded his *Services* to the Town, in obtaining for it a *new Charter*, which had stood him in 6 or 700 *l*; and, in Lieu of complying with the Demands of the Corporation, offer'd them a Release: That he afterwards sign'd the said Release: and, over and above, offer'd them *one Hundred Pounds*, and by Degrees came up to *Two*.

But tho' this infamous Traffick for the Liberties of the Nation, was thus notoriously prov'd, instead of exciting the  
Indignation

Indignation of the House, and producing such Resolutions as might vindicate their own Honour, and put a Stop to such infamous Practices for the Time to come, the Question was only put, whether Sir *John Cope* had made good his Charge, which was carry'd in the NEGATIVE.

*March 7*, The Court-Business being all dispatch'd, and the Speaker having made a flattering Harangue, as *usual*, his Majesty put an End to the Session with a Speech, in which he thanks both Houses for their *steady and resolute* Adherence to his Person and Government; launches out, with great Bitterness against the wicked Arts of *Calumny* and *Defamation*, which have been the constant *Prelude* to *Public Troubles* and Disorders, then practis'd with the greatest Industry, by the *Enemies* of our *happy Constitution*; declares his *Determination* to *continue to countenance* such as have manifested their Zeal, for the present *happy Establishment*; and concludes with strongly recommending THEM to the Good-will of all that are *well affected* to his Government, &c.

But, notwithstanding his Majesty's *Certificate* of the good Behaviour of this Parliament, the Cities of *London* and *Westminster*, with Bells, Bonfires, Illuminations, and every  
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other Demonstration of Public Joy, celebrated the Day of their Dissolution, as if it had been a Day of *Deliverance* from their *worst Enemies*.

The Writs for the new Parliament were returnable *May 10*, and Two Days before, the Lord *Townshend*, Secretary of State, by his Majesty's Command, sent a Letter to the Lord-Mayor of *London*, acquainting him, That his Majesty had received repeated and unquestionable Advices, that several of his Subjects had enter'd into a wicked Conspiracy, in Concert with several Traitors abroad, for raising a Rebellion in Favour of a *Popish Pretender*. But that the Authors neither were, nor would be *countenanced* by any *foreign Power*, &c.

By way of Reply to this extraordinary Epistle, the Lord-Mayor and his Brethren, offer'd up an Address, abounding with Court-Incense, and their loyal Example was follow'd by many other Places.

But, not to depend too much on the Professions of the People, a Camp was form'd in *Hyde-Park*, Six Regiments were landed here from *Ireland*, and his Majesty was induc'd to make a *Royal Progress*, on the Pretence of assembling and reviewing his Forces upon *Salisbury-Plain*.

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I have already observ'd, That Public Rejoicings were made for the Dissolution of the late Parliament, whence it may be gather'd, that if the People were really as *free*, as they are said to be, they would scarce have return'd another of the same Complection; that is to say, compos'd, for the General, of *known Vassals* to the Court, instead of Friends and Servants of the Public: Such, however, was the Matter of Fact, and that it would be so, was, no Doubt, very clearly foreseen: For if there had been the least Hazard, 'tis not to be suppos'd, That those who were hardy enough to turn a *Triennial* into a *Septennial Parliament*, by their own Authority, would have given the People a Chance to do themselves Justice.

The Point, however, was so strongly contested, that within the Space of Twelve Days, no less than Ninety Nine Petitions were presented, on Account of undue Elections and Returns: How they were Determin'd, may be guess'd from the Case of Mr. *Hutcheson*, before quoted.

*October* the 9th, his Majesty open'd the first Session of the Se-<sup>1722.</sup>cond *Septennial* Parliament, with a *Gracious* Speech, which was *embellish'd* with the Horrors that *might* have attended the late

Conspiracy, and the *Benefits* of his own Reign; and for *Essentials*, demanded farther Provisions for the Common Safety; by which was to be understood, *more Men* and *more Money*.

To suspend the *Habeas-Corpus Act* for a Year, was the first Fruits of the very first Day's Session, even before the *usual* Address of Thanks, &c. was taken Care of; a Bill, *ready drawn*, for answering which blessed End, was introduc'd into the House of Lords by the Duke of *Grafton*; and pass'd thro' all the Forms with a Hurry and Precipitation, that nothing short of an actual Rebellion, or Invasion, could have excus'd.

On the 15th, this *areadful* Bill was sent down to the Commons; where, being espoused by Messieurs *Walpole*, *Pulteney*, (again drawing in the same Team) *Pelham*, and *Yonge*, it was likewise carry'd by 246 Voices against 193; and on the 17th it received the \* Royal Assent.

Their next loyal Step was to augment the Army with 4000 Men, which was

\* It is remarkable, that the Preamble to this Bill, supposes the Danger arising to the King and Kingdom, from the Conspiracy to be *present*; whereas in the Speech it is represented to be *over*; his Majesty having *already seiz'd* some of the *Conspirators*, and order'd *Endeavours to be us'd for apprehending others*.

agreed

agreed to by a Majority of 72; and, because it was not held adviseable to lay above 2 s. in the Pound upon Land, 5 s. in the Pound upon *Papists* and *Non-jurors* was recommended by Mr. *Robert Walpole*, as a proper Expedient to make up the Deficiency of the Year; and finally agreed upon by a Majority of 46.

As to the Conspiracy, which was set forth in such terrible Colours, it was of such a Nature, as seems to have brought all Plotting into Disgrace ever since: Hear-says of Hear-says, reported by a *hired Informer*, who, before the Affair came to an Issue, either destroy'd himself, or was destroy'd \*\*\*\*\*; a *Harlequin Dog*, Letters intercepted, about the Lord knows what, to the Lord knows who; and those put to the Torture by *Decyphers*, and made to confess whatever the M——rs pleas'd, appearing to have been the \* only Support of it; but *one* † insignificant Creature (*Layer*) of all those said to be concern'd in it, proving to be within the Reach of the Law; and, against him, even his own extorted Confession was forc'd to be brought in Evidence; info-

\* See the Speeches of Mr. *Kelly*, Sir *Constantine Phipps*, and the Bishop of *Rochester*.

† Whose Tryal was not printed, till first mov'd for, by the opposing Lords in Parliament.

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much,

much, that, in order to convict him capitally, there seems to be abundantly more Cause, to suspect those in Power of *conspiring* against the *People*, than the *People* of conspiring against the King: And yet, on such Pretences as these, the Liberty of the Subject was, for a whole Year, left at the Discretion of the Prince: Several noble † Lords were committed to the *Tower*; and Bills of *Pains* and *Penalties*, those desperate *Devices*, which can never be excus'd, but by the most desperate Necessities, were brought into play; a Bishop and a Lord of Parliament, after having undergone unprecedented Insults and Severities, was deprived and driven into Exile; a sort of Persecution was let loose against the \* *Papists*, and an *unnecessary* Supplement was made to the Standing Army: Every one of which astonishing Particulars, tho' apparently the Contrivance of a bold, wicked, corrupt

† As was likewise Dr. *Freind*, a Member of the House of Commons; which being severely animadverted upon by Mr. *Shippen*, Mr. *Walpole* first reply'd, with much Warmth; and then Mr. *Pulteney* (towards the End of the Session made Conferrer) added, *That it was usual in all Conspiracies, for one Traitor to endeavour to excuse another.*

\* For, over and above the 5 s. in the Pound, they were saddled with by another Act, all Persons were oblig'd to take the Oaths, or register their Estates: By way of *Reprisals*, for which Severities, as it may be presum'd, a Persecution was commenc'd, soon after, against the *new Converts* in *France*.

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Minister, had the Sanction of the second Septennial Parliament, at the first Entrance upon their Trust; when they had scarce the Merit of any one popular Act to qualify this submissive Conduct of theirs; except the Censure they pass'd on the *Harburgh Lottery*, (a Bubble, which had been set on Foot under *Hanover*-Authority; the Pretence, to clear the River *Elbe*, the Design to plunder the Public) and the burning the *PRETENDER'S Declaration*.

The King's, or rather the *Minister's* Enemies, being now sufficiently humbled, and the whole Kingdom, by the Suspension of the *Habeas-Corpus* Act, entirely at the Mercy of the said Minister and his Legions, his Majesty was pleas'd to make another Visit to his *Hanover* Dominions, *June* 3, from whence he did not return till the 28th of *December* following.

*January* 9, the second Session of <sup>1723-4.</sup> the second Septennial Parliament, was open'd with a Speech, which began with the Laud and Praise of our present *happy* Situation, both at Home and Abroad; hinted a Hope, That the *few Examples*, lately made, would deter the most *Disaffected* for the future; signified, That the *AUGMENTATION* of the *National Forces*, had not only *secured* our domestic Quiet, but

but contributed to the *Preservation* of the Peace of *Europe*; demanded Supplies; recommended the *Discharge* of the *Public Debt*, as a Work truly worthy a *British* Parliament; and declar'd, That it was the *vainest of all Delusions* to imagine we have any *Chance of any good Thing*, but by SUPPORTING the *present Establishment*, and MAINTAINING the *Protestant Succession*.

To this most gracious Speech, no Objection appears to have been made in either House; Addresses of Thanks were voted *Nem. Con.* and, if they had been dictated by the very Person who made the Speech, they could not have been more of a Piece with it.

A Motion to continue the same Number of Forces, which had been so delicately recommended in the King's Speech, produced the only memorable Debate, that is recorded of this Session, in which Mr. *Walpole* appear'd at the Head of the Court-Advocates, and Mr. *Pulteney* brought up the Rear; and, under the Conduct of two such able Generals, 'tis scarce a Wonder, that this Favourite-Point was carry'd by a Majority of 140.

A Land-Tax, like the Army, was become a Thing of *Course*; and so Two Shillings in the Pound was admitted without any Opposition: But when a Petition was pre-

presented, for Relief to certain Persons who had been Sufferers in a *Bubble*, for promoting a Trade to the *Babama* Islands, the *Skreen* was once more spread, and three Members, who had been *Managers* of that Project, had the *Benefit* of it.

Again, when the plausible Head in the King's Speech, relating to the National Debt, was under Consideration, our State-Projectors introduc'd a Scheme to convert the *Customs* upon *Coffee*, *Tea*, and *Chocolate*, into an EXCISE; under the specious Title of an *Inland Duty*, which, being likewise a Court-Point, was submitted to, with all the Complaisance imaginable.

In short, the *Malt* and *Mutiny*-Bills, and every other Matter, Clause and Circumstance, that the Minister or his Partisans took a Fancy to, was comply'd with: So that by the 24th of *April*, the Business of the Session was at an End, and the King dismiss'd both Houses with a *gracious* Speech, expressing his *great Satisfaction* with their *continuing* the like National Force by Sea and Land this Year, as they had done the last, as being a wise Provision for the Support of *Public Credit*; and assures *himself*, that they will discountenance any *Remains* there may be yet left of Sedition or Disaffection, &c.

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Nothing remarkable happen'd between the Sessions, except that the King did *not* visit his *Hanover* Dominions, and that his Excellency *Horatio Walpole*, Esq; was appointed Embassador and Plenipotentiary to the Court of *France*.

November 12, His Majesty open'd<sup>1724</sup> the Third Session with a *gracious* Speech; in which he again declar'd, That we were at *Peace abroad*, and *happy at home*: Recommended, notwithstanding, the *same Provision* by Sea and Land, the same Attention to the *Improvement* of the *Revenue*, and the Discharge of the Debt, *ready Concurrence* in raising the *Supplies*, &c.

But, tho' an unanimous Address of Thanks was return'd, when the *Standing Army* came to be debated, a Spirit of \* Opposition shew'd itself again, and in particular *Mr. Shippen* was pleas'd to express himself as follows:

“ If I may be permitted to consider the King's Speech, as the Composition of his

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\* *Mr. Snell*, upon this Occasion, likewise acquainted the House with an Insult offered to certain Country People in the West, by a Party of Dragoons; as likewise of an Officer's silencing the City-Drums in *Gloucester*, on Pretence, *That none but the King's Drums had a Right to beat in the GARRISON.*

Ministers,

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Ministers, which tho' I know by Experience to be a more dangerous, is yet a more Parliamentary Way, than to consider it as an Edict from the Throne; I will observe, that it does not ask the Opinion and Advice of the Commons, how far they will use their great, essential, and undisputed Right of raising Money; but it positively prescribes the exact Provision we are to make, both by Sea and Land, for the Service of the ensuing Year; and, whether that be not a new Method of speaking to Parliaments, is, with all Deference, submitted to the Wisdom of this House, which is the best Judge of its own Privileges and Power.

“ Surely, Sir, it is very melancholy to hear one Session after another, that, tho' we are in a State of Tranquility, as the Language is, yet we can neither be secure at home, nor respected abroad, without continuing above Eighteen Thousand Land-Forces in Pay.

“ This Way of Reasoning entirely misrepresents our Circumstances and Condition: For it would suggest, that we cannot enjoy the Blessings of a good Reign, without enduring, at the same time, the Hardships of a bad one, which is a Contradiction in itself, and inconsistent with the Notions we,  
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as *Englishmen*, must ever entertain of our legal Liberties; in Maintenance of which our Predecessors in Parliament, thought fit to alter the Lineal Succession of our Royal Family.

“ Now, all Rebellions, all Conspiracies, seem to be totally extinguished, not more by the late seasonable Exertion of Parliamentary Justice, than by the wise and prudent Conduct of those in the Administration: They have so carefully reviewed and modelled the Forces this Summer in every Part of the Nation, that, we are to hope, there are not left even so many, as three or four Serjeants and Corporals, who shall have Fool-hardiness enough to undertake again to draw the whole Army into wild and chimerical Attempts: They have freed the Church from all Apprehensions of Danger, by promoting only the most orthodox and learned Part of the Clergy to the Episcopal Dignity, and other Ecclesiastical Preferments: They have preserved the State, by advancing only Men of distinguished Ability and Experience to all great Offices and Civil Employments: They have, which is above all, reconciled their own Animosities, and have no other Contentions now, but who shall best serve his Majesty and the Public, without any Views  
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of accumulating immense Wealth to themselves, or of aggrandizing their own private Families. Such an Administration can never need the Assistance and Protection of above Eighteen Thousand disciplin'd Troops. Such an Administration should not suffer the Army to run away with the Reputation of their good and great Works; or to assume the Glory of raising our Credit, enlarging our Trade, and establishing our present Prosperity.

“ Now I can never be so unjust to his Majesty's most mild and gracious Government, as to ascribe our present Tranquility to the Continuance of an extraordinary Number of Troops, any more, than I can believe, it would cease at the Reduction of Part of them. This would be a dangerous, as well as an absurd Doctrine, with relation to us at Home: For, should it be admitted, that above Eighteen Thousand Land Forces have not only procured our present Tranquility, but that they are absolutely necessary to the Security of the Kingdom; then it will follow, that the same Number will always be absolutely necessary; that a military Power is the most pacific Form of Government; and that an Army will be a better Preserver of Peace and Plenty, a better Guardian of our  
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Civil and Religious Rights, than the Law of the Land," &c.

The Question in Parliament, like *Alexander's Sword*, cuts the *Gordian Knot*, which can no otherwise be loos'd; and thus Mr. *Skippen* was confuted by 206 Voices against 69.

Of the Affair of the *Masters in Chancery*, and the Prosecution stirr'd up against the Lord Chancellor *Macclesfield* this Session, I shall say no more, than, That the Court espoused it with a Zeal which it had never testify'd before against any *Public Criminal*, except the unhappy Persons engag'd in the *Rebellion*, and the *Ministers* employ'd by the late *Queen*; That most of the Managers against his Lordship, had the good Luck, not only to obtain the Thanks of the House, but the *Favours* of the *Crown*; and That a Bill was pass'd to \* INDEMNIFY the *Masters* who had purchas'd Places of him, on their appearing as *Evidences* against him.

With regard to the Supply, it was made good by those Ways and Means which were now become the *Ordinary* of the Year, the *Land Tax*, *Malt Bill*, &c.

\* Note, When the late Enquiry was on Foot against *Robert Walpole* Earl of *Orford*, a Bill of the like Nature was overrul'd.

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And as to the EXTRAORDINARY, tho' his Majesty had so very lately, procur'd his Civil List-Debt to be plac'd to the Account of the People, and had promis'd to retrench for the future, another Message was now deliver'd to the House, importing, That his Majesty FOUND any considerable Retrenchments IMPRACTICABLE; that he had engag'd in some extraordinary Expences, &c. and that he hoped he might be enabled to discharge the present Debts, contracted in his Civil Government.

These Debts amounted to \* 508,367 l. and odd Things, as they are stiled by the fine *City-Lady* in the *Comedy*.

But tho', upon this Occasion, we find the great † Mr. *Pulteney* once more at Variance with the *Minister*, and warmly

Here beginneth the Opposition of *William Pulteney*, Esq;

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\* And in the Debate, tho' not in the Accompt, some Part of them was said to be owing to the *Congress* at *Cambray*.

† During the Warmth of the Debate, the following tender Particulars escap'd.

Mr. *Pulteney*. 'Tho' I wonder so great a Debt can be contracted in Three Years Time, I am not surpriz'd, that some Persons are so eager to have the Deficiencies of the Civil List made good, since they and their Friends have so great a Share in it.'

Mr. *Walpole*. 'Upon Examination of the Account given in of the Civil-List Debts, it will appear, that most of the

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contending for † Accounts, &c. we find his Majesty's Demand comply'd with (upon a Division of 239 against 119) and that, after such a Manner, as gave Rise to the following severe Protest,

“ Because this Bill is to raise a great Sum of Money, which will, as we apprehend, become a Burthen to the Public, and encrease that immense Load of Debt, which is already above Fifty Millions; and, therefore, in our Opinion, requires the utmost Application to diminish it, and cannot but give us the most melancholy Prospect, whenever, especially in a Time of Peace

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Expences were either for the necessary Support of the Dignity of the Crown and Government, or for the *Public Good*. There is, indeed, a Pension of 5000 *l. per Ann.* of another Nature, *viz.* upon Account of the *Cofferer's* Place, which could not well be avoided; for both the Lord *Godolphin*, who had the Office, had deserved so well of the Government, that they could not handsomely remove him without a Gratuity; and therefore a Pension of 5000 *l. per Ann.* was given him to make room for the worthy Gentleman (Mr. *Pulteney*) who now enjoys that Post.

‡ At the very latter End of this Session these Accounts were obtain'd; and by them it appear'd, that in Four Years Time there had been issued for the *Privy Purse, Secret Service, Pensions, Bounties, and Money without Account*, the Sum of 2,728,759 *l.* And when an Attempt was made in the next Session to take this extraordinary Affair into Consideration, it was over-rul'd by the Order of the House, That no Paper deliver'd in a former Session could be proceeded upon afterwards.

and

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and Tranquility, we find any Addition is made to it; and since his Majesty's Revenue, when first settled, was thought sufficient by the Parliament, to answer all the necessary Expences of his Civil Government, and is *larger*, as we conceive, than that of his Predecessors: And since that Revenue has once already, and not long ago, received an Aid of the like Sum, we think we are fully justify'd in expecting an Account of the Reasons of contracting so great a Debt; and because that was *refus'd* to be laid before us, we are of Opinion we cannot discharge our Duty to our Country, if we should thus *uninform'd*, and in the *Dark*, give our Consent to this Bill; which being the Second of this kind, within a short Compass of Time, we apprehend may prove of more pernicious Example.”

The last *Extraordinary* of this Session, which I shall take Notice of (for I will not insist on that for *Disarming the Highlands*) was a \* Bill for *regulating Elections* within the City of *London*; which we are to suppose took its rise from a Petition of many Citizens of the said City, *setting forth several Grievances, and praying Relief*: But, un-

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\* By this Bill the Famous *Negative* upon the Common-Council was given to the *Lord Mayor and Aldermen*.

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luckily, the Citizens of *London* first oppos'd this Bill at the Bar of the House of Commons, and afterwards follow'd it with a Petition to the Lords; in which they set forth their Apprehensions, That the said Bill not only affected the *Rights* and *Privileges* of the *Freemen* in particular, but the *Government* of the *City* in general, which they endeavour'd to make out in several Particulars; which had so much Weight with the opposing Lords at least, That a Motion was made to ask the Opinion of the *Judges*, whether This does *repeal* any of the *Prescriptions*, *Privileges*, &c. of the said *City* of *London*, *restor'd* to them, or *preserv'd* by the Act, 2d *W.* and *M.* for reversing the Judgment in a *Quo Warranto* against the said *City*; which passing in the Negative, drew on a Protest; in which it is declar'd, That there is room to apprehend, that the Alterations made in this Bill, in the Constitution of the *Common-Council*, &c. may utterly abolish the *antient legal Title* of the *City* to their *Rights*, &c. and that the Opinion of the *Judges* was held the more necessary, because no *Saving* was to be found in the Bill, or *Confirmation* of the *antient Titles*, &c. *restored* by the former *Law*.

Upon the Passing the Bill, another warm Protest was entered, which it is needless

to

to repeat; enough having been already said to explain a Law which was calculated to serve so many *ministerial* Ends, under so *popular* a Title.

May 31, the King clos'd the Session with a Speech of Acknowledgments for the *Supply*, the Aid to the *Civil List*, *Disarming* the *Highlands*, &c. having, just before, no doubt, for wise Ends and Purposes, reviv'd the Order of the *Bath*; and, June 3, embark'd for *HANOVER*, where the celebrated Treaty distinguish'd by that important Name, was sign'd, Sept. 3, having been first manufactur'd at *Paris*, by that renown'd Politician *Horatio Walpole*, Esq;

Jan. 3. The King landed at *Rye*, 1725-6. from *Hanover*, and the 20th following open'd the Session with a most gracious Speech, signifying, That the *distressed Condition* of some of our \* *Protestant Brethren* abroad, and the *Engagements* enter'd into, by some *foreign Powers* (which seem'd to have laid the *Foundation* of new *Troubles*, and to threaten his *Subjects* with the Loss of several Branches of their *Trade*) had oblig'd him to enter into a defensive

\* Those of *Thorn*, that is to say, not of *France*.

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Alliance (that of † *Hanover* above-mentioned) with the most *Christian* King and *Prussia*, which, together with *their* Support, he trusted in God, would enable him to preserve *the Peace and Balance of Europe*: He then hinted, That no greater Number of Forces would be necessary this Year than the last; prepared them, however to expect a Demand for an *Augmentation* by Sea; bestow'd a Paragraph on the *Hopes* of the *Disaffected*, now renew'd; and concluded all in the following ambidexter manner:

‘ When the World shall see that you will  
 ‘ not suffer the *British Crown and Nation*  
 ‘ to be *menac'd* and *insulted*, those, who  
 ‘ most *envy* the *present Happiness and Tran-*  
 ‘ *quility* of this Kingdom, and are *endea-*  
 ‘ *vouring* to make us *subservient* to their  
 ‘ *Ambition*, will consider their *own Interest*  
 ‘ and *Circumstances*, before they make any  
 ‘ Attempt upon so *brave a People*, *strengthen-*  
 ‘ *ed* and *supported* by *prudent* and *power-*  
 ‘ *ful* Alliances, and tho' *desirous* to *preserve*  
 ‘ the *Peace*, *able* and *ready* to defend them-

† To which the States-General were also invited to accede; but declined it for some time, and did not comply at last, without many Restrictions; which gave the Hint to the King of *Prussia* to declare off likewise.

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‘ selves against the Efforts of all *Aggressors*.  
 ‘ Such Resolutions, and such Measures,  
 ‘ *timely* taken, I am satisfy'd, are the most  
 ‘ effectual Means of *preventing a War*, and  
 ‘ *continuing* to us the *Blessings* of *Peace* and  
 ‘ *Prosperity*.’

The general Calm, which we had been more than once complimented upon, from the Throne, being now apparently at an End, and the Approaches of a Storm as apparently to be fear'd, it may perhaps be necessary to bestow a few Paragraphs on our *Foreign Affairs*, that our *Domestic* may be the better understood.

We had been told, in his Majesty's most gracious Speech, at the Opening of the Session in 1721, *That nothing more than the FORMS of a CONGRESS were wanting to establish the Public Tranquility*; and yet that *Congress* prov'd to be a Matter of *Form* only; as, no doubt, was then foreseen: For on the one Hand, we disoblig'd the Emperor, by entering into a \* *Secret Treaty*

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\* To be found in *Rouffet*, Tom. IV. p. 101. It is defensive, and specifies the Number of Troops to be furnish'd by each of the Contracting Parties. There was likewise a Secret Article, if a Paper publish'd by the Imperial Ministers at *Ratisbon* is to be depended upon; by which it was agreed, That the Troops to be introduc'd into *Tuscany*, instead of *Neutral*,

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with *Spain*, while we yet acted as Mediators, jointly with *France*; and by refusing the sole Mediation (which we had been courted to accept of) and the Non-performance of our Engagement, to deliver up *Gibraltar*, we disoblig'd *Spain* as much on the other: The sending back the *Infanta* likewise, incens'd the last of those Powers to the full as much against *France*, as the Blow in the *Mediterranean*, &c. had, till then, incens'd her against us: And there was still another Circumstance which, perhaps, help'd on the Broil between the *Imperial* and *British* Courts yet more than all the rest; I mean the Investitures of *Bremen* and *Verden*, which had been requir'd by *Hanover* in a greater Latitude, than had ever been granted before, or could be legally comply'd with now; but which, we have been told \* would have been ventur'd upon notwithstanding, if we would have paid the exorbitant Fees demanded for that Service.

Both their *Imperial* and *Catholic* Maje-

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*Neutral*, were to be *Spanish*. Another Treaty was sign'd the same Day, by which, among other Articles, we oblig'd ourselves to restore the Ships taken in the *Mediterranean*, or the Value of them.

\* First by Sir *R—— W——* in Parliament; and afterward, by Mr. *Arnai* in one of his *Free-Britons*; who was likewise so good as to inform us, That the Sum demand'd, was a *Million Sterling*.

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ties being thus at Variance with their ancient and natural Allies, thought it their Interest to be reconcil'd as fast as possible to each other; and this was accordingly done by the Treaty of *Vienna*, which put an End to the Farce of Mediation, carry'd on under the Title of, *The Congress at Cambray*.

Now this said Treaty of *Vienna* was expressly founded on the Treaty of *London* of 1720, and contain'd no more than mutual Renuntiations, viz. of *Spain* by the Emperor, and of the hereditary Dominions of *Austria* by his *Catholic* Majesty; and likewise such other Dispositions of certain Dominions in *Italy*, &c. as might prevent any future Misunderstandings between the Contracting Parties, &c. It wore, therefore, as innocent a Face as ever Treaty did; and to the People of *England* at least, afforded rather Matter of Satisfaction, than Complaint.

But the *Ways* of Ministers are not as our *Ways*, nor their *Reasonings* like our *Reasonings*.

We therefore find the most profound Mr. *Horatio Walpole*, with the Title of Excellency, sent to *Paris*, as before-mention'd, and a Counter-Alliance form'd, since become famous, under the Stile and Title of the *Treaty of Hanover*. It was of this Alliance

liance his Majesty was pleas'd to say such great Things in his Speech; with what Reason, will best be understood, when my Readers recollect, That, except the Words *Trade* and *Guaranty*, which occur in the 2d Article, and that *tinkling Cymbal*, THE BALANCE OF EUROPE, which jingles in the 4th, there is not a single *Item* in the whole Treaty that, to a common Eye, seems relative to the Interest of *England*; but more especially, when they read the Fifth Article, which follows entire, and for which I think it is pretty manifest, the whole Transaction took place.

‘ As his most *Christian Majesty*, who, in  
 ‘ Quality of Guarantee of the Treaties of  
 ‘ *Westphalia*, is particularly interested in the  
 ‘ Preservation of the Rights and Privileges  
 ‘ of the *German Body*, and their BRITANNIC and *Prussian* Majesties, behold,  
 ‘ with Regret, the Seeds of Discord that  
 ‘ are sowing, and hear, with Grief, such  
 ‘ Complaints as may at length break out,  
 ‘ and occasion a War, whose terrible Con-  
 ‘ sequences would inevitably affect all *Eu-  
 ‘ rope*; their said Majesties, always *attentive*  
 ‘ to what might one Day or other disturb  
 ‘ the Tranquility of the EMPIRE in PAR-  
 ‘ TICULAR, and that of *Europe* in general,  
 ‘ promise and engage mutually to assist each  
 ‘ other,

‘ other, for the *defending and preserving the*  
 ‘ *above-mentioned Treaties*, and other Acts,  
 ‘ which by their Determinations upon the  
 ‘ *Affairs* of the *Empire*, are look'd on as  
 ‘ the Basis and Foundation of the Tranqui-  
 ‘ lity of the *German Body*, and the Support  
 ‘ of its Rights, Privileges, and Immunities,  
 ‘ for the MAINTENANCE OF WHICH their  
 ‘ said Majesties are truly desirous of making  
 ‘ a fix'd and solid PROVISION.’

But to prove undeniably, that this Treaty was calculated for the Meridian of that Place only, from whence it takes its Name; I will here insert the Reflections made upon it at *Vienna*, as they were transmitted by the Imperial Court to Baron *Kirckner*, the Imperial Commissary at *Ratisbon*.

1. “ This Treaty was made and concluded in the Empire, by two Electors and Princes of the Empire, with a Foreign Power, against his Imperial Majesty's and the Empire's Peace with *Spain*.

2. “ It is contrary *in Formalibus & Materialibus*, both in Matter and Form, to the solemn Oath of Investiture, and the Duty of a Member of the Empire.

3. “ It is likewise contrary to the Peace of *Westphalia*, *Art. 8. Sect. 2.* and to the Tenour of the 10th Article of the Capitulation  
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tion made with the Emperor *Joseph*, and the 6th of that made with the present Emperor, at their Elections. And for the same Reason it is contrary to the *Señ. Gaudeant, &c.* And more particularly, for that

4. " In the 2d Article of this Treaty, the Contractors have mutually engaged to give their general Guaranty to each other, for all Countries and Towns which they have and possess, as also for all their Rights, Privileges and Advantages. By which Means, Justice, and the Administration which is put into the Hands of his Imperial Majesty, according to the Capitulation at his Election, and the Laws of the Empire, have no farther Place or Consideration with these Contracting Parties. And therefore all and singular, whose Countries and People have been forcibly and unjustly seized by the aforesaid two Kings of *England* and *Prussia*, as Electors and Princes of the Empire, or who still are at Law with them, for their rightful Demands, can never more obtain any Right; and, therefore, with respect to these two Members of the Empire, all Right and Justice in the said Empire is wholly destroyed, and consequently they may act and do according to their own Will and Pleasure with every one, and even with his Imperial Majesty. With this View it is

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5. " Stipulated in the 3d Article of the Treaty, what Assistance in Men or Money one Ally is to send to the other, when any one of them is disturbed in the *present Possession* of all Countries and Rights, without specifying whether *justly* or *unjustly* possessed.

6. " As this Article has broke thro' that Bond which, according to the Laws of the Empire, ought to last for ever between his Imperial Majesty, as supreme Head of the Empire, and the Members thereof, as likewise between the said Members one with another; and, as was said before in the 3d Article, is made so contrary to those solemn Oaths of Fidelity, which the Kings of *England* and *Prussia*, as Electors and Princes of the Empire, swore openly with a loud Voice before the Imperial Throne, and in the Presence of the All-knowing and Almighty God, to his Imperial Majesty, and to the Holy Roman Empire, at their Investiture,

7. " So it is farther specify'd in the 2d separate Article, That, in case the Empire should, out of Hatred to their Treaty, and the Assistances therein promised, declare War against the Crown of *France*, neither *Brandenbourg* nor *Brunswick* would then furnish, for such War, the Contingent they ought to send to the Empire and the Circle;

cle; but would, on the contrary, do every Thing in Conjunction with *France*, till Peace should be restored: Which dissolves the whole Bond of the Empire, and rejects all Dependence and Obedience with respect to his Imperial Majesty and the Empire.

8. "This is not only an actual Separation from the whole Empire, and an Union with those, who in such Case are declared Enemies of the Empire; both which are manifest Contraventions to the Peace of the Country, and to the other fundamental Laws of the Empire, which have been sworn to, and which subject the Transgressors to the Penalties therein mentioned:

9. "But also in the 3d separate Article likewise, the following Words are contained, among others, That in Case, on the Part of the Empire, a Resolution should be taken in Manner as is mentioned in that Article, to the Prejudice of the Kings of *Great Britain* and *Prussia*, the Crown of *France* should openly take their Part, till the Trouble, Injury and Offence, should wholly cease: By this Means, the Recourse of the Joint States to his Imperial Majesty, and to the supreme Judicatories of the Empire, is entirely put an End to, with respect to the Contracting Members of the Empire; and consequently all Right, Assistance and

and Protection, together with all Jurisdiction and Power of Judging; 2. Likewise the Peace of the Country is at an End; 3. And the bringing in of Foreign Troops, which is not allowed, even to the Emperor himself, according to the Capitulation at the Election: On the contrary, 4. These said Contracting Parties may, at any Time, according to their own Will and Pleasure, seize by Force, the Rights they have, or pretend to have, and secure them by Foreign Nations against the Majesty of the Emperor, against the supreme Judge and Lord, and against their Fellow-States.

10. "In this Manner, every one may see, that a formal Offensive and Defensive Alliance has been concluded against his Imperial Majesty, and the *Roman* Empire; which, as has been said before, is contrary to all the Oaths, and to the Duty of a Member of the Empire, and consequently cannot pass without great Disturbance in the Empire, and likewise without the Danger, Damage and Oppression of all the Rights and Justice belonging to the States thereof, with their Countries and People: And, therefore, to omit many other Things for the Love of Brevity, nothing remains to be done, or is more adviseable than to oppose it honestly, like Patriots, with his

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Imperial Majesty, and not to accede to such a Treaty, and to the other dangerous and precipitate Views concealed therein; but rather to contribute in Time, all that is possible, towards maintaining the public Tranquility in the Empire, and in all Christendom."

And now to account for the Insertion of the Word *Trade*, both in the said Treaty and his Majesty's Speech, it is proper, likewise, to remind the Reader, That the Emperor had furnish'd the *Handle*, by making Use of his *own Sovereign Power*, to set up an *East-India Company at Ostend*; and signing a Treaty of Commerce with *Spain*; by which his Subjects were admitted, by his Catholic Majesty, to a Share of all the *Privileges*, allow'd to the *most favour'd Nations*; that is to say, the *Dutch and English*.

There are yet several curious Particulars to be touch'd upon, with relation to these Counter-Alliances of *Vienna and Hanover*; but as they belong, more properly, to the Business of the next Session, where they will be explain'd by authentic Papers, it is now Time to return to that immediately before us.

Nothing could flatter the Views of the Court more agreeably, than the Address of the

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the Commons, which was equally calculated to *intimidate* abroad, and *amuse* at home; the *same Spirit* prevailing in all our Councils; and *applauding* in one Place, what it *dictated* in another.

The Supply was carry'd with as much Facility as the Address; and tho' the *Standing Army* was oppos'd, as usual, by Mr. *Shippen*, and his Associates, (who contended, at least for the Reduction of the 4000 Men, rais'd on Account of *Layer's Plot*) the Court was as *well serv'd* in this Point, as either of the former.

Sir *Robert Walpole*, the reigning Minister, and his former Assistant, Mr. *William Pulteney*, either were, or seem'd to be now, at open Enmity: And, as a Courtier in Disgrace, desires to be receiv'd into the Bosom of the People, we find the last of those Gentlemen, about this Time, moving for a Committee to state the Public Debt, as it stood in 1714, and at *Dec. 25, 1725*; distinguishing what hath, and what hath not, been provided for by the Parliament: But this being oppos'd by Mr. (now Sir *John Barnard*), as well as the Chancellor of the *Exchequer*, who represented, such a Measure as likely to encrease the \* Alarm of

\* Stocks, with in a few Weeks, had sunk 12 or 14 per Cent.  
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the money'd Men, Mr. Pulteney took Occasion to declare, *That he made this Motion with no other View, than to give that GREAT MAN (Sir R. W.) an Opportunity to shew his Integrity to the whole World, and thereby finish his sublime Character.* To which Sir R. reply'd, *That this Compliment would have come out with a better Grace, and appeared more sincere, when that FINE GENTLEMAN had himself a Share in the Management of the Public Money, than now he was out of Place.*

Upon the Whole, the Motion was rejected by a Majority of 262 against 89.

Hitherto the Parties had only skirmish'd; but when the Treaties, before-mention'd, came under Examination, the Leaders of both assembled their whole Strength, and prepar'd to exert themselves to the utmost. His Excellency Mr. *Horatio Walpole* open'd the Debate with a *Political Medley*, which lasted for an Hour and a Half; and in which he display'd those great Abilities which have render'd him so deservedly famous: In particular, he favour'd us with a Genealogy of all the Treaties which had taken Place since the Accession; and very adroitly grounded the present Troubles on the Countenance given by the Court of *Spain* to the *Ostend* Company, and the lively Re-  
pre-

*presentations* made thereupon, by his Majesty, both to the Emperor and King of *Spain*; adding, indeed, a little unluckily, That these Complaints had been received at *Madrid* with Coldness; but at *Vienna* with such Stiffness and Haughtiness, that the Imperial Ministers did not stick to insinuate, That if his *Britannic* Majesty persisted in his Resolution to take Measures in Opposition to the Treaties of *Vienna*, his Imperial Majesty would not only hold himself disengag'd from the *Guarantee* of the *Protestant Succession* to the Crown of *Great Britain*, but that the same might be attended with Consequences, in relation to his Majesty's DOMINIONS IN GERMANY.

In the two last Lines, we have the real Clue to the *Treaty of Hanover*; and, accordingly we find Mr. *Shippen*, during this very Debate, urging, in Opposition to it, That it would probably engage the *British* Nation in a War, for the Defence of his Majesty's GERMAN DOMINIONS, contrary to an express Provision made for the securing our Religion, Laws, and Liberties in the *Act of Limitation*; which being the BASIS of the present *Settlement*, was become Part of our *Constitution*, and therefore ought to be sacred and inviolable.

But, if Mr. *Skippen* had the Honour to enforce this Clause of the *Act of Settlement*, in behalf of his Country, Mr. *H. Pelham* had the Merit to explain it away; by insisting, that the said Clause was not *wholly* and *for ever* to deprive his Majesty's *foreign Dominions* of any Assistance from this Nation, &c. He therefore concluded with a *lumping* Motion, to approve every Thing which our Ministers had done, *and to stand by and support his Majesty against all Insults and Attacks that any Prince or Power, in Resentment of the just Measures which his Majesty has so wisely taken, shall make upon ANY of his Majesty's Territories or Dominions, tho' NOT belonging to the Crown of GREAT BRITAIN*; which, after some farther Debate, wherein the Lord *Finch*, (now Earl of *Winchelsea*) was pleas'd to insinuate, That Providence bestow'd the *British* Throne upon his Majesty, as a Reward for the PIETY of his Ancestors, was carry'd by 285 Voices against 107.

So much for the *Act of Settlement*; which, tho' binding to the People, was, it seems, to be no Restraint upon the Prince.

No Body, I believe, will wonder that, after we had thus formally adopted the *Hano-*

*Hanover-Dominions*,\* a *Vote of Credit* should be demanded for their Security: But, who can help wondering, that those very † Persons, who, when *out of Power*, oppos'd the Grant of 250,000 *l.* on Account of the Dangers apprehended from *Sweden*, should *now*, not only advise a *Message* of a like Nature, but, by that shameful Method of the *previous Question*, over-rule Mr. *Skippen's* Motion for an Account of the Disposition of the said Money; which, tho' promis'd, had never yet been comply'd with?

Such a *Message*, however, came, but disguis'd under the plausible Pretences of *Trade* and *Navigation*, and the *particular Interest* of this Nation; and was comply'd with by a Majority of 270 Votes against 89.

The rest of the Session produc'd nothing material, except that precious *Job*, the *Pot-Act*, a Bill for the more effectual preventing of *Bribery* and *Corruption*, (which was suf-

\* By way of Answer to the King's *Message* on this Head, an Address was voted by 270 against 89, That he will be pleas'd to make such an Addition to the Number of Seamen, as his Majesty shall, in his great Wisdom, think will best conduce to the Service of the TRADE and NAVIGATION of this Kingdom, and to the Preservation of the PEACE of EUROPE, and to assure him, that this House will effectually provide for, and make good ALL such Expences and Engagements as shall be made for obtaining these great and desirable Ends.

† The *Walpoles*, &c.

fer'd to pass the *Commons*, whom it more immediately concern'd, that it might be wreck'd elsewhere,) and a gracious Speech from the Throne, full fraught with Thanks, &c. at the Prorogation.

This Summer was remarkable for Three famous Naval Armaments and Expeditions, *viz.* one to the *North*, under Sir *Charles Wager*, to carry a LETTER to the *Czarina*, (Demanding her Reasons for equipping her Fleet; and suggesting, that she was in a Confederacy with the *Pretender*; who in her † Answer laugh'd at the Insi-

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† One Paragraph of which Answer is conceiv'd in the following Terms:

These Circumstances cannot induce us to believe, That your Majesty's Ministers ever had a serious Intention to conclude that Alliance (with *France* and *Russia*;) but rather, that the sending a Squadron of Men of War, together with Orders, thro' which it is easy to see an Interruption of Amity, and the Rise of new Troubles in the *North*, is but the Consequence and Result of the *Animosity*, which some of your Ministers have shewn publicly every where against us, for so many Years past. The Thing appears evident, from what your Majesty alledges, and charges us with, in relation to the *Pretender*. Your Ministers have rightly understood, that all the Reasons by them suggested, (and which, abstracted from that, do not regard the Interest of *Great Britain*, but are rather *diametrically opposite* to the solemn Treaties subsisting between *Great Britain* and other Powers) are not to be admitted, and are insufficient to justify their violent Enterprizes to Persons disinterested: And not being able to find out any other Reason, that *frivolous* and *stale Accusation* must be trump'd up, and serve, as heretofore, as the *main Pretence* for all the unkind Steps taken against us.

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nuation, and hinted, that the *British* Fleet was sent into the *Baltic*, rather to disturb the *Peace* of the *North*, than preserve it;) a Second to the Coast of *Spain*, under † Sir *John Jennings*, and a Third under Admiral *Hofier*, to block up the Galleons at *Porto-Bello*.

The Emperor, likewise, this Summer, prohibited the Importation of *English* Woolens into the Island of *Sicily*; and that our Merchants did not instantly feel the like Effects of our Court-Measures, both in *Russia* and *Spain*, was no Fault of those *enterprising Ministers*, who had given both those Powers such sensible Provocations.

Nor were these the only Fruits of the glorious Treaty of *Hanover*, as may be seen by the Two following Pieces; which I chuse to insert entire, that I may not be thought to misrepresent or aggravate Circumstances that cannot be handled too tenderly in one Light, or too severely in another.

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† Upon whom the *Spaniards* fired a few Shot at *St. Antonio*; but on their making an Excuse, the Affront was put up.

*The Memorial presented by M. de St. Saphorin, Envoy of his Britannic Majesty, to Count Sinzendorff, Great Chancellor of the Imperial Court.*

S I R,

YOUR Excellency having desired me to give you in Writing, what I deliver'd to you from the King my Master, by Word of Mouth, about a Fortnight ago; I shall do myself the Honour to acquaint you again, That his Majesty is extremely surpriz'd to hear, that a Report has been spread, and very confidently affirm'd by some who belong to the Emperor, That his Majesty had not only caused the *Treaty of Hanover* to be communicated to the *Ottoman Port*, by his Embassador at *Constantinople*, but that he had also endeavoured to excite them to enter upon a War with the Emperor; intimating, that the firm League lately form'd against him, gave the Sultan a favourable Opportunity of re-taking *Temeswar* and *Belgrade*.

But his Majesty was much more surpriz'd at being inform'd, that one of his Couriers, in his Return from *Constantinople*, was seiz'd at *Belgrade*, although he publicly wore the Badge of the King's  
Mes-

Messengers, was provided with Letters from the Emperor's Envoy at *Constantinople* for the Prince of *Wirtemberg*, who receiv'd him suitable to his Character; and notwithstanding that he declar'd, that he came with Dispatches for his Majesty and the Embassador of *France*: and tho', after detaining him Twenty-Eight Days, they, at length, suffer'd him to pursue his Journey, this Permission was attended with such Circumstances as, in every Respect, afforded greater Matter of Complaint, both in Respect of the Manner in which his Serene Highness Prince *Eugene* explain'd himself on this Subject to the Duke of *Richelieu*, and inasmuch as he thought fit to give an Answer only in the Name of Monsieur *Bruckhausen*, to what was urged by the Minister of the King of *Great Britain*; who had, however, apply'd by Letter to his Highness himself; besides that, the Person who brought him the Answer, told him, That tho' they had suffer'd the King's Messenger to pursue his Journey, it was only for this one Time, and because he had brought with him a Letter from Monsieur *Dierling* to the Count of *Wirtemberg*.

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As the King my Master can look upon this Procedure no otherwise than as a Violation of the Law of Nations, and as a Manner of treating him, never made use of by one Prince to another, who still lived in Amity together, he hopes that his Imperial Majesty will order Satisfaction to be given him in this Matter, as I have positive Commands to require: And he is moreover satisfy'd, that his Imperial Majesty will not refuse doing it in such a Manner, as may equal the Greatness of the Insult which hath been offer'd him; since otherwise it is very visible, that he cannot be persuaded, but that the Report that has been spread of him, as well as the Stopping his Courier, is only the Consequence of a Design, before laid, of coming to an open Rupture with his Majesty, in pursuance of those *Projects* which the Duke of \* *Ripperda* declared to his Embassador were *form'd against* him, by the *Emperor* and his *Catholic Majesty*.

Besides, Sir, tho' I have no Orders for saying it, by reason of the unwarrantable

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\* It is remarkable, That when this Minister was dismiss'd from his *Catholic Majesty's* Service, he took Sanctuary in the *British* Embassador's House, from whence he was taken by Force.

Manner

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Manner of treating his Majesty, I can however assure your Excellency, for my own Part, that those Assertions that have been publish'd as certain and avow'd Facts, have not the least Appearance of Truth; since his Majesty has not so much as sent Mr. *Stanyan* a Copy of the *Treaty of Hanover*; and has order'd him not to take any Step, or let slip any Expression, that may give the least Room to his Imperial Majesty to take Umbrage; and moreover, the King's Ministers would doubtless by his Order have explain'd themselves in such a Manner to those of his Imperial Majesty, as would not have fail'd to convince them, that all that had been reported was groundless, had not so injurious a Rumour been spread, before any Information was given to the King my Master; But so unexpected a Procedure too much concerns the Glory of the King, for him to think it proper to give an Account to any Person whatsoever of the Directions which he is pleas'd to give to his Ministers at Foreign Courts. I have the Honour to be, &c.

*De St. Saphorin.*

*Vienna, April 15,*  
1726, N. S.

*The*



*The Answer of the Count of Sinzendorff,  
to the Memorial of Monsieur De St. Sa-  
phorin.*

S I R,

Supposing that your Memorial given in Writing would have been confined entirely to the Affair of seizing the Courier at *Belgrade*, it was intended to have given you an Answer in brief; but as that of the 15th of this Month contains several other Circumstances, his Imperial and Catholic Majesty has order'd me to declare to you, that to this Hour, he has not concern'd himself in the Reports of which you take Notice, relating to the Information given by your Court to the *Ottoman Port*; and that in the Conference held between Prince *Eugene* of *Savoy* and the Duke of *Richelieu*, Embassador of *France*, Enquiry was not so much as made, whether the *Treaty of Hanover* had been communicated to that Court in Writing; but only in general, whether the Port had been inform'd of it, by way of inciting them to make War with the Emperor; and, in short, whether the Orders sent to Mr. *Stanyan* to that Purpose, had not been carry'd

carry'd by a Courier in Disguise, who pass'd here for an *English* Merchant.

It was with this View also, that Orders were given, as early as the 2d of *February*, to the *Sieur Palm*, Resident at the Court of his *Britannic* Majesty, to notify forthwith to the King or his Ministers, the Contents of these positive Advices which had been received from *Constantinople*; all which intimated, that the *British* Embassador had had an Audience of the Grand Vizier, and that he endeavour'd to excite the *Turks* against his Imperial Majesty. This is what hath been further reported; and from that Time to the Conference which Prince *Eugene* had with the Duke of *Richelieu*, it can be imputed to nothing but the general Voice, the Letters of all the Foreign Ministers residing at *Constantinople*, who with one Consent have spoken of it as a Matter both certain and public; and with Circumstances more at large and particular, than all that hath been either said here, or represented at *London*, by the Resident *Palm*.

We, in a great Measure, guess, Sir, why you insinuate in your Memorial, as of your own Accord, and without Orders, That his *Britannic* Majesty had not so much as sent Mr. *Stanyan* a Copy of the Treaty:

Treaty: But without searching into the Bottom of the Matter, we may reply to you, That the Grievance of this Procedure, till now unheard of, and which we never should have expected from the King your Master, consists not in the *Treaty of Hanover's* being communicated by a *Copy*, but in that it was *really* imparted to the *Turks*; and that by Means of it, Endeavours were used to excite them against the Emperor.

But as it is necessary to shew more particularly what hath happen'd in respect to that Matter, I am to tell you, Sir, by his Imperial Majesty's Order, That in the Month of *December* last, there came hither, as you know, a certain Person who apply'd himself to Monsieur *Bruckhausen*, under the Name and Quality of an *English* Merchant, being conducted by your Secretary, who having given an Account of him to Prince *Eugene*, he caused a Passport to be got ready for him, according to Custom, for pursuing his Journey into *Turky*, thro' his Imperial Majesty's Dominions: That, nevertheless, this same Person arriving at *Constantinople* on the 14th of *December*, appear'd there not as a Merchant, but as a Messenger of the King of *Great Britain*, with important Orders for his

his Embassador Mr. *Stanyan*; That in Fact, on the 20th of the same Month, that Minister had an Audience of the Grand Vizier, and \* *notify'd* to him the *Alliance* made at *Hanover* between the King his Master and the Kings of *France* and *Prussia*; greatly magnifying the *exorbitant Power* of the Emperor, and the Danger that might befall the Princes and States of *Europe*; representing to him, that the *Porte* had now a *favourable Opportunity* of recovering their *former Losses*; assuring him, that if Endeavours were made towards it, the Allies of *Hanover* would come to *no Accommodation* without the *Port's* receiving *entire Satisfaction*; and that all this should, in like Manner, be imparted to him, and confirmed by the *French* Embassador in the Name of the King his Master. That it is true, indeed, that two Days after, discoursing with the Imperial Resident *Dierling*, he assured him, that nothing had been transacted in the Audience which he had had of the Grand Vizier, prejudicial to the Interest of his Imperial Majesty; adding withal, that he hoped no such Orders would

\* The same Thing was laid to the Charge of the *French*, but was solemnly deny'd both by their Minister and ours, at the Diet of *Ratisbon*.

ever be given him; but that it is also very certain, that, from that very Time, the said Resident was inform'd to the contrary, by such Means as he could and ought to depend on; that all the People, even of *Constantinople*, had got such a Notion, and that they made no Mystery of it at the *Port*.

Such Informations as these must necessarily have obliged the Emperor to take some Precautions. His Orders were sent on the 23d of *January*, to all the Generals and commanding Officers on the Frontiers of *Turky*, to let no Body pass, either going or returning, without giving Notice thereof to the Court; whereupon the Messenger arriving at *Belgrade*, the Duke of *Wirtemberg* Governor of *Servia*, could not avoid detaining him till farther Orders; altho', upon finding himself stop'd, he at last discover'd his Badge of an *English* Messenger, and deliver'd the Prince of *Wirtemberg* a Letter from the Resident *Dierling*, in which he was so stiled.

What happened upon this, you are acquainted with, Sir, better than any Body. The Duke *de Richelieu* went to Prince *Eugene*, and desired him to release the Messenger, who brought Letters for him and his Court; and you yourself wrote to him the next Day to the same Purpose; your  
Health

Health not permitting you to go in Person. The Matter was reported to his Imperial Majesty, who, notwithstanding all the Circumstances of the Fact, was pleas'd to give Order, that the Messenger, for this Time, might proceed on his Journey. At the same time, Monsieur *Bruckhausen* had Orders, according to the receiv'd Custom of this Court, to give Notice of it to the Duke *de Richelieu* and yourself; which he would have perform'd in Person, had it not been for an Indisposition, that is so real, that he is actually dying; therefore, that he might lose no Time, he entrusted it to an Officer of the Chancery, to whom you did not scruple to own, that the Messenger was the same Person that pass'd here for an *English* Merchant, and as such had obtain'd a Passport to go to *Constantinople*: But then you lay the Fault upon your Secretary; as if such Contrivances could happen thro' Oversight or Inadvertency, especially in respect to a Messenger of the Crown of *Great Britain*, who is a public Person, and highly oblig'd, by every Day's Employment, to wear openly the Badge of his Office; and cannot conceal it, without bringing himself under a Suspicion of some ill Design.

We leave all the World to judge, whether the detaining such a Person as this, in

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a Frontier Town, who was returning from such an Errand, and who was nevertheless released afterwards out of Regard to his *Britannic Majesty*, can afford any Room to require Satisfaction for a Violation of the Law of Nations; if, on the other side, his Imperial and Catholic Majesty, had not good Reason to complain of it?

Besides, we know very well WHY what was said by the Duke *de Riparda* is confounded with this Matter, tho' it hath naturally *no relation* to it; which, together with the Emperor's Conduct in the whole Course of this Affair, will discover to *whom* we have Reason to attribute these *premeditated* Designs of a Rupture, and to *whom* the Violation of the Law of Nations ought REALLY to be *imputed*.

*I have the Honour to be, &c.*

Things being in this untoward  
1726-27. Situation, *January 17*, the Parliament met, and his Majesty, in his *most gracious Speech*, acquainted both Houses, That a secret and *offensive* Alliance had been concluded between the *Emperor* and *Spain*; and that the *placing* the *Pretender* on the *British Throne* was one of the *Secret Articles* of that Treaty: That *Russia* would have been *concern'd* in the *Invasion*, if not  
pre-

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prevented by the *British Fleet*, sent to the *Baltick*: Whereupon his Allies of *France* and *Holland*, had augmented their Forces, and *Sweden* and *Denmark* were about to accede to the *Hanover-Alliance*; and he did not doubt but his Parliament would assist him to perform his Part: That the *Spanish* Minister was recall'd abruptly, and had left a \* *Memorial* behind him, little short of a *Declaration of War*, wherein he demanded the *Restitution of Gibraltar*, and made the recalling the Squadrons his Majesty had sent to the *Mediterranean* and the *West Indies*, the Condition of any farther Correspondence between the Two Crowns; looking upon the Continuance of those Fleets abroad as actual Hostilities, and threatening to repell them by Force: That the King of *Spain* was actually assembling an Army in the Neighbourhood of *Gibraltar*: But he had *undoubted Intelligence*, their first and *principal* Design was to *invade* these Kingdoms: He demands therefore of the Commons the Supplies necessary for the *Defence* of THEIR COUNTRY; and, as they had, the last Year,

\* In this Memorial, He declar'd, That the *violent State* to which Affairs was reduc'd, was owing to the Ministers of ENGLAND.

enabled him to lay out what Money HE thought *necessary*, he hop'd they would repose the *same Trust and Confidence* in him again; that his *Necessities* should never make him *touch* the SINKING FUND, but desires, they would apply it to the Use it was design'd.

It is observable, That, early in the last Session, when the late Treaties were under the Consideration of the Lords, the Duke of N—— acquainted the House with a Passage out of a Letter of Mr. *Stankope's*, his Majesty's Minister in *Spain* (now Earl of *Harrington*) which signify'd, *That in a private Conversation, the Duke of Ripperda had not scrupled to own, That, besides what had been already communicated to him about the late Treaties of Vienna, there were still some other Secret Articles, which, in due Time, should be made Public, whereby the Contracting Parties mutually engag'd to assist each other with a certain Number of Troops, in ORDER to support the Ostend Company and recover Gibraltar.*

Not a Word of the *Pretender*, or an *Invasion*, and yet this *Tattle* of *Ripperda's* seems to have been the only Foundation for the Pretence of so much Danger, or the putting the Kingdom to so much Charge; as is farther Apparent from the

*Secret*

*Secret Treaty* itself, which was conceiv'd as follows.

I. There shall be between his Imperial Catholic Majesty and his Royal Catholic Majesty, a solid and sincere Amity, which shall be mutually cultivated, in such Sort that the one shall procure all Advantages for the other, as if they were for himself, and the other shall return the same.

II. And it being represented by the most Serene King of *Spain*, that the Restitution of *Gibraltar* with its Port, had been PROMISED by the King of *Great Britain*, and that his Catholic Royal Majesty does insist upon the Restitution of *Gibraltar* with its Port, and likewise of the Island of *Minorca* and *Port Mahon*; it is declared on the Part of his Sacred Imperial Majesty, that he will not in any Manner *oppose* this Restitution, but as far as he is able, employ all *good Offices* to this Purpose, and if the Parties desire it of him, accept the Mediation.

III. The most Serene King of *Spain*, *Philip V.* to give a most evident Proof of the Sincerity of his Friendship, promises and engages to permit all Ships of his Imperial Majesty's Subjects of what Nation soever they be, to enter freely into all the

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Ports

Ports of *Spain*; and so as they may trade with all Freedom and Security, and enjoy all the Privileges and Prerogatives that any the most favoured Nation does enjoy, (as the *French* do at present, and as the *English* formerly did) and that too from the Day of the Publication of this Peace; which shall be published immediately in all Ports and Places convenient, as it is agreed in the Treaty of Commerce signed this Day.

IV. And in Case the Ships of his Imperial Majesty shall be attacked on this Account, on this, or on the other, Side the Line, his Catholic Majesty promises to make it the Common Cause, and to take Vengeance and Reparation for the Injuries and Damages they shall sustain.

In like Manner, if the Ships of his Catholic Majesty shall be hostilely attack'd, either on this, or on the other, Side of the Line, on this Account, his Imperial Majesty promises likewise to make it the Common Cause, and to take Vengeance and Reparation for Injuries and Damages sustained.

V. And whereas by the Quadruple Alliance, for the Security of the Realms, Dominions, and Provinces possessed by the contracting Powers, it was stipulated, that they

they should become reciprocal Guaranties; it is nevertheless found necessary by the present Alliance, to explain more at large what is meant by the Word *Security*, and better to provide for what may happen. For this Purpose therefore, and to confirm more strongly the Amity begun between his Imperial and his Catholick Majesty, it is thought necessary to particularize as follows, the Succours with which each Party is to furnish the other for their mutual Security, *viz.*

If the Emperor, his Kingdoms, and Hereditary Dominions, in whatever Place situate, shall be hostilely attacked, or if the War, begun in another Country, shall be carried thither, that then his Catholic Majesty promises to assist and succour his Imperial Majesty with all his Forces both by Land and by Sea; and particularly to furnish a Navy of at least fifteen large Ships of War, commonly called *Line of Battle Ships*; and besides this, an Army of 20,000 Men, that is to say, 15,000 Foot, and 5000 Horse, their Winter Quarters to be provided by the Emperor.

His Catholic Majesty to be excused if he shall furnish Money instead of Troops, after the Rate of 8000 Florins a Month for every 1000 Foot, and 24,000 for every

X 4

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every 1000 Horse, payable, at the Times stipulated, by the *Genoese*, in the Town of *Genoa*.

And if the King of *Spain* shall not furnish the Ships stipulated, he shall send an Army of 10000 Men, or Money for them, according to the Calculation above-mentioned.

In like Manner, his Imperial Majesty promises and engages to succour his Catholic Majesty with all his Forces both by Land and by Sea, in Case his Catholic Majesty's Dominions in *Europe*, or elsewhere, shall be hostilely attacked; and particularly to send to his Aid 30,000 Men, that is to say, 20,000 Foot, and 10,000 Horse, to be provided with Winter Quarters by his Catholic Majesty.

VI. The Embassadors Extraordinary and Plenipotentiaries of the two Powers contracting, promise respectively, that this particular Treaty of Alliance and Amity shall be ratified by his Imperial Majesty, and by his Catholic Majesty, according to the Form mutually agreed; and that the solemn Acts of Ratification shall be exchanged within Three Months, or sooner if possible.

Under Faith of which, the said Ministers, Embassadors Extraordinary, and Plenipo-

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nipotentiaries, have signed with their own Hands this Instrument of Alliance and particular Amity; and confirmed it with their Seals, &c.

Done at *Vienna* in *Austria*, April 30, 1725.

*Eugene de Savoye,*

*Philip Lewis, Count de Zinzendorf,*

*Gundaker, Count de Staremburg.*

*John-William, Baron de Ripperda.*

But however effectually, the communicating this *Secret Treaty* absolved his Imperial Majesty from the principal Matters laid to his Charge, the following severe Memorial was presented to the King by M. de \* *Palm*, the Imperial Resident, and likewise dispers'd all over the Nation;

*Most Serene and Potent King,*

AS soon as the Speech made by your Majesty to the Parliament of *Great Britain* now assembled, came to the Knowledge of his Imperial and Catholic Majesty, my most gracious Master; he was struck with the utmost Astonishment, that your Majesty could suffer yourself to be prevail'd upon to declare from the Royal Throne, to that most renown'd Nation, in a Manner

\* For which he was order'd to depart the Kingdom forthwith.

hither.

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hitherto unheard of, as certain and undoubted Facts, several Things, some of which are strain'd in that Speech to a wrong Sense, some are entirely distant from the Intentions of his Imperial and Catholic Majesty; and lastly, (which affect much more sensibly than all the rest) some Things absolutely void of all Foundation.

For as to what regards the Peace concluded at *Vienna* with the Most Serene King of *Spain*, who can forbear being astonish'd, that this very Peace, which is built on the Quadruple Alliance sign'd at *London*, and other Treaties contracted with your Majesty, as its solid and sole Foundation; and for the obtaining of which Peace, your Majesty, together with your Allies, waged so bloody, so long, and so glorious a War, and took your self so much Pains to procure, should now be alledged by your Majesty as a just Ground of Complaint, and should be made use of as a Pretence for those Things, which hitherto your Ministers have been doing in all Parts, to the great Detriment of the Emperor and the Empire, and the Public Tranquility, and should be represented by your Majesty to the *British* Nation, with so much Animosity against the Emperor and King of *Spain*, as a Violation of Treaties?

After

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After complaining of the Peace made at *Vienna*, Complaint is likewise made of the Treaty of Commerce enter'd into with *Spain*, which is calculated to promote the mutual and lawful Advantages of the Subjects of both Parties, which is agreeable to the Law of Nations, and to the Customs of all People in Amity with each other; which can in no respect be of any Prejudice to the *British* Nation, whether we regard the Situation of the Countries, or the particular Nature of the Trade, and which is not in the least repugnant to the Treaties made with *Great Britain*: So that if this Treaty be consider'd with a Mind free from Prejudice, and from all Design of inflaming the Nation, there will remain no Pretence to say, that this Treaty can be grievous or hurtful to a Nation for which his Imperial Majesty has the greatest Affection and Esteem, and whose glorious Exploits and important Succours no Time will efface out of his Memory.

The other Head of Complaint, which contains such Things as are void of all Foundation, relates principally to that *imaginary* Alliance, which in the Speech is call'd *Offensive*, and is there suppos'd to have been made against your Majesty, between the Emperor and King of *Spain*. But it will  
not



not only appear how groundless and frivolous this Supposition is, from the Offer lately made by his Imperial and Catholic Majesty, of entering into a Convention, *De se mutuo non Offendendo*, but will be entirely refuted by the Consideration of the Tenor of the *Treaty of Alliance and Friendship* itself made with the Crown of *Spain*, and communicated in its *whole Extent* to your Majesty when it was proper; from the Words of which, whether the least Shadow or Appearance of an Offensive Alliance can be drawn, is submitted to the Judgment of the whole World.

Another Part of the Complaint relates to the *Secret Articles made in Favour of the Pretender*, whereof your Majesty asserts, that you have *certain and undoubted Informations*, by which Articles it should have been agreed to set the *Pretender* on the Throne of *Great Britain*. With what View, on what Motive, and to what Purpose, these Informations, founded on the falsest Reports, were represented to the People of *Great Britain*, is not only easy to be understood by his Imperial and Catholic Majesty, but is obvious to the meanest Capacity. But, since the inviolable Dignity and Honour of such Great Princes cannot suffer that Assertions of this Nature, entirely unsupported by  
Truth,

Truth, should be advanced from the Royal Throne to the whole Nation, and to all Mankind, his Sacred Imperial and Catholic Majesty has expressly commanded me, that I should declare to your Majesty, and to the whole Kingdom of *Great Britain*, how highly he thinks himself affronted thereby, solemnly affirming, upon his *Imperial Word*, that there exists no secret Article nor CONVENTION whatsoever, *which contains, or can tend to prove the least Tittle of what has been alledged.*

But that the secret Designs, which lie conceal'd under a Conduct till this Time unheard of, may more manifestly appear, it must be observ'd, that the Time is purposely taken for doing this, when a Negotiation is on Foot at *Paris*, for composing the Differences which have arisen without any Fault of his Imperial and Catholic Majesty; which Negotiation sufficiently shews how much his Imperial and Catholic Majesty is at all Times inclined to Peace, and to the religious Observation of his Treaties.

As to what is said of *Gibraltar*, and concerning the Siege thereof, under which, in the Speech it is insinuated, as if some other Design was concealed; the Hostilities notoriously committed in the *Indies* and elsewhere,

where, against the King of *Spain*, in Violation of Treaties, seem to have given a very just Occasion to the King of *Spain* for attempting that Siege. But as to the Intentions and Engagements of the Emperor upon that Article, it is easy to see what they are, by the Treaty abovemention'd, which has been communicated.

As to what is said in the last Place, concerning the *Ostend* Trade, which the Goodness of the Catholic King induc'd him to favour (being bound by no Treaty) after he had been appriz'd of the just Reasons for the Establishment of it, various Expedients for a Composition have been propos'd, not only at the *Hague*, but even lately at *Paris*, lest this harmless Method of providing for the Security of the Barrier, should prove an Obstacle to the common Friendship of Neighbouring Powers.

Which Things being thus, the Injury offer'd to Truth, the Honour and Dignity of his Sacred Imperial and Catholic Majesty require, that they should be expos'd to your Majesty, to the Kingdom of *Great Britain*, and to the whole World. And his Sacred Imperial Majesty demands that Reparation which is due to him by all manner of Right, for the great Injuries which have been done him by these many Imputations. In

In Count *Sinzerdorf's* Letter of Instructions, for drawing up the above Memorial, are likewise the following remarkable Passages,

“ It is easy to see, that the *Speech* was made for *no Purpose*, but to excite the Nation to a *Rupture*, and open War with the Emperor and *Spain*, and to make the *Parliament* approve the *precipitate* and *burthensome* Measures which the Government has taken for *private Ends*, but too well known; That not only unwarrantable Inferences and Pretences have been made use of, but that manifest Falshoods have been boldly advanc'd for indisputable Facts; a Proceeding never seen before among Powers who ought to respect each other, when in the most flagrant Wars; from whence it ought to be presum'd, that the King, whose sacred Mouth ought to be *an Oracle of Truth*, must have been himself *abused* by the *Suggestions* and *false Reports* of those, who have the Honour to possess his Confidence; and who think it their *Interest* to *inflame*, by these Means, both the *Prince* and the *Nation*, for their own *private Views* and *Personal Preservation*, without any Regard to the Honour of the Majesty of the Throne, or to the *Evils* which may result from  
hence

hence to their *own Country*, and to all *Europe*.

For these Purposes they establish a Foundation, and lay down as a certain Fact, that there is a positive Article in the Treaty of Alliance between the Emperor and the King of *Spain*, to place the *Pretender* on the Throne of *Great Britain*, and to invade that Kingdom with open Force; and this they do, a few Days after the Minister Plenipotentiary of the Catholic King had, before his Departure from *London*, in a Memorial presented in the Sacred Name of his Master, publicly and in the most authentic Manner, disavow'd these Imputations, which sufficiently prove the Emperor's Disavowal of the same, since the pretended Article was equally imputed to the Two Powers, and one of them could not have stipulated any thing in the same Treaty without the other. Besides which, it is to be consider'd, that six Months ago, upon the first Reports of these false Suppositions, the Emperor and King of *Spain*, in order to silence them, proposed a formal Act, *de non offendendo*, into which all the Allies on one Side and the other might enter, and which would effectually have secured the *peaceable Possessions* of each of the Powers contracting, either in the Treaty of *Vienna*, or that of *Hanover*,

*Hanover*, till such Time as it had been possible, by one general Treaty to remove and quiet the Complaints of all Sides: But these Proposals were render'd *ineffectual*, by the same Views of *those Persons*, who chose rather to hinder the peaceable Effects of these just Designs, by Attacks and open Hostilities."

Having thus, from these authentic Papers, thrown all the necessary Lights on the *Crisis* before us, we return to the immediate Business of the Session.

His Majesty's most *gracious Speech* being read, according to Form, in a Committee of the whole House, a Motion was made by Mr. *Onslow* to have it *echoed* back in the Address with all the Duty, Loyalty, and Punctuality imaginable: This, however, was warmly oppos'd; Some alledging the Absurdity of approving Measures to prevent Dangers, before they knew what those Measures were, or whether those Dangers were real: And others comparing our Politics to *Penelope's*; *Doing and Undoing*; calling the *Pretender* a *State-Bugbear*; representing an Invasion to be impracticable, without the Help of *Gulliver's Floating Island*; declaring that the only Affair of any Moment to *England*, viz. the *Ostend-Company* might have been *nipp'd* in the Bud, for 10000*l.* and insinuating, that

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the *Acquisition of some Dominions* abroad, (*Bremen and Verden*,) had sow'd the Seeds and produc'd the Divisions which now distracted *Europe*.

But, tho' it is evident, that Evasions, Fal-lacies, Glosses, and false Lights, make but a poor Figure against Facts, tho' it was admitted by the *Minister* himself, that the K. of *Spain* had very \* WARRANTABLE PRE-TENSIONS to *Gibraltar*, tho' he only purg'd himself from any Concern in the *Promise* on which they were founded, tho' he produc'd no Proofs, that any Danger from the *Pre-tender* ever existed, and, in so many Words, granted, that it was now pretty well over; the Address was swallow'd whole, by 281 Voices against 81.

Some Days after, a Motion being made for a Copy of the † *Memorial*, presented by Mr. *Poyntz*, his Majesty's Envoy Extraor-

\* It must not be forgot, that a Motion was made in Form, during this Session, for a Copy of the *Engagement* relating to *Gibraltar*, call'd in the *Spanish* Minister, the Marquis de *Pozobuena's* Letter to the Duke of *Newcastle*, a positive *Promise*; but the Courtiers got rid of the Difficulty by the Previous Question 204 against 91.

† In which he tells the *Swedes*, That such was his *Britannic* Majesty's Concern for the Tranquility of the *North*, that He had sent a powerful Squadrou into the *Baltick*, before any *Requisition* had been made thereof, to protect them from any immediate Danger from the Armaments of their Neigh-bours, (which were making in CONCERT with *Sweden* against *Sleswick*) and likewise offer'd them a Net Subsidy of 100,000 Ducats a Month.

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dinary to the King of *Sweden*, relating to the Accession of that Crown to the Treaty of *Hanover*, it pass'd in the *Negative*; as did likewise Another, for the *Secret Offensive* Alliance between the *Emperor* and *Spain*, (inserted above) upon which Two Papers the chief Business of the Session turn'd.

On the other hand 20000 Men were granted for the Service of the Navy; and when 8000 Foot and Dragoons were demanded by Mr. *H. Pelham*, as a necessary Augmentation to the STANDING ARMY, it was carry'd by 250 against 85. His Majesty, moreover, having hired 12000 \* *Hessians*, (for what Service the dullest Reader cannot be at a Loss to guess) 125,000 *l.* was granted for the Raising and Maintaining them, and 170,000 *l.* on Account of the *Subsidy*, to the *Landgrave* their Master.

Besides all these Precautions, by way of Inducement to † *Sweden* to accede to the Treaty

Y 2

Treaty

\* See the *Case of the Hessian Forces* in the *Craftsman*, Vol. VI.

† While Mr. *Poyntz* was negotiating this Point at *Stockholm*, the *Imperial* Minister there presented a Memorial to his *Swedish* Majesty, tending to expose the mischievous Con-sequences of the *Hanover* Alliance, not only to *Sweden* in particular, but *Europe* in general; *England*, says he, sparing neither Pains nor Persuasions to engage the Court of *France* in open War with his *Imperial* Majesty; having propos'd, that *France* should send towards the *Moselle* and the *Rhine* 70,000 Men, into *Catalonia* 20,000, into *Brabant* 30,000, as many  
on

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Treaty of *Hanover*, our provident Ministers agreed to pay the *Swedes* a Consideration of 50,000 *l.* a Year for Three Years, tho' the said Treaty did not lay the *Swedish* Crown under so many Obligations as former Treaties; as we find it urg'd by Count *Horn* to the States of that Kingdom.

To defray all these and many more extraordinary Expences, a Tax of 4 *s.* in the Pound was laid upon the Land; the Surplusses of the Coal Tax were \* mortgag'd for 370000 *l.* (tho' it was urg'd, that all Surplusses belong'd to the *Sinking Fund*, and consequently the Alienating any of them clash'd even with the King's Speech) and another *Vote of Credit* was † wedg'd into the Malt Bill, tho' the Grants already made, amounted, within a Trifle, to Three Millions.

Having seen the Court thus arm'd at all Points, let us next return to the Progress of the *Opposition*.

on the Side of *Holland*, 30,000 *Danes* in the Pay of *England* and *France* into *Lower Saxony*, who were likewise to be join'd with 18000 *Hanoverians* and 12000 *Hessians*, that a War might be kindled in the Heart, and on the Frontiers of the Empire at once.

\* On a Division of 209 against 82.

† By 225 against 109; upon this Occasion Mr. *Hungerford* took the Liberty to say, "That having already given 4 *s.* in the Pound upon Land, the admitting this Clause of Credit, would be clapping a Tail to the Whale, which might sweep away the other *Sixteen*."

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Feb. 7. A Motion was made to address for all such Memorials or Representations, from the Crowns of *Sweden* and *Denmark*, as induc'd the King to send the Squadron to the *Baltick* last Year, at so great an Expence to the Nation: NEGATIVE 196 to 79.

Feb. 10. An indigestible *Item* appearing in the Account, shewing how the Money given for the Year 1726, had been disposed of, viz. of *One Hundred and Twenty-five Thousand* Pounds, charg'd in general Terms, as issued for other Engagements and Expences than were specify'd, Mr. *Pulteney* insisted, that, before the said Account was referred to the general Committee, the House should be made acquainted with the particular Disposition of so considerable a Sum; but the contrary was voted by 178 against 78.

It being apprehended, however, that such a Proceeding as this would be attended with disagreeable Consequences, an Address was permitted to pass both the Committee and the House, for an Account of the Distribution of the said Sum; to which his Majesty was pleas'd to answer, That the Sum in question had been disbur's'd, pursuant to the Power given to his Majesty by PARLIAMENT, for NECESSARY Services and Engagements of the UTMOST Importance to the TRADE and

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NAVIGATION of this Kingdom, and the TRANQUILITY of EUROPE, and which require the UTMOST SECRECY; and, therefore, a particular and distinct Account of the Distribution of it cannot possibly be given, without manifest prejudice to the PUBLIC.

This Answer being held insufficient by some, Mr. Pulteney mov'd for a farther Address, most earnestly to beseech his Majesty, &c. but on the quoting of a lame Precedent relating to the Contingences of the Army in the Reign of Queen Anne, the Question was put, and carry'd as the Court would have it, by 235 against 110; and another Address was voted, expressing the Thanks of the House for his Majesty's great Care and Wisdom, &c. and to assure his Majesty, That this House, placing an ENTIRE CONFIDENCE in his Majesty's Goodness, and Regard for the TRUE INTEREST of his People, will stand by and support his Majesty in ALL such FARTHER MEASURES as his Majesty shall find necessary and expedient for PREVENTING A RUPTURE, and for the Honour and Advantage of these Kingdoms.

The Case of the Commissioners of the Hawkers and Pedlars Duty, as represented in the Petition by the said Commissioners, having been refer'd to a Committee, it appear'd by the Report made to the House thereon,

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thereon, that the said Duty, for the Space of Four Years, except 1500*l.* was lost to the Public, tho' the Money arising therefrom should have been paid, according to Act of Parliament, into the *Exchequer* Weekly; and that, by Reason of the loose, careless, and neglectful Management of the late Commissioners, there was a Deficiency of 36693*l.* 13*s.* 5*d.* on the said Duty, over and above 6000*l.* which had been paid by the Securities of the late Cashier to the said Commissioners.

It happen'd, that this Abuse of the Public was so notorious and inexcusable, that even the very Courtiers were ashamed of it, and Sir *W—— Y——* himself, tho' he endeavour'd to exempt the \* Minister from any Blame or Censure on that Account,

\* It ought not to be forgot, That among those who clamour'd with most Bitterness upon this Occasion, there was one Gentleman, who, before the End of this very Session, made a Visit to Sir *R. W.* to give him to understand, *He was on the Point of setting out for Paris; and that if he had any Commission to his Brother, which was of too delicate a Nature to be committed to Writing, he should be proud of his Commands.*—This frank and forward Offer of a seeming Enemy, Sir *R.* soon after, communicates to a certain Right Honourable Member; adding, *He is certainly the impudentest Fellow in the World: Then will I stake my Life,* replies the said Member, *That you become sworn Brothers within this Twelvemonth;* which Prophecy we have seen punctually verify'd.

thought it adviseable to move, *That † the Petition of the said Commissioners might be rejected*, which was carry'd without dividing.

But this artful Palliative had not all the desir'd Effect; Mr. *Pulteney* not only brought the Abuse home to the Treasury, but inveigh'd fiercely against the Audaciousness of SOME PERSONS, who, by their corrupt Management, thought themselves so powerful and secure, as to dare to SKREEN the greatest Offenders. Sir *Robert Walpole* recriminated with a Charge against other Persons, Of Disappointment, Envy, Malignity, shooting Poison in the Dark, scatter'd under Allegories, in vile Libels, &c.

The Courtiers, however, being in pain for their Chief, call'd for the Order of the Day, which put an End to this curious Interlude; tho' not to the Resentment it occasion'd; for when Mr. *de Palm's* Memorial, before inserted, was laid before the House, in order to convince the Emperor, that the Elector of *H---* had a better Interest there, than his Imperial Majesty, the Ad-

† Their Case was, afterwards, recommended in his Majesty's Name to the Consideration of Parliament, by the Chancellor of the Exchequer, and a Committee was appointed to compound with them for the Debt.

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dress of *Abhorrence* and *Defiance*, which was procur'd upon that Occasion, was wound up in the following Terms:

‘ And if any among your own Subjects,  
 ‘ have been so wicked as to countenance, en-  
 ‘ courage and abet the Disturbers of the  
 ‘ Public Tranquility, in this extravagant  
 ‘ Insult upon your Majesty, or flatter'd them  
 ‘ with Hopes, that an obstinate Perseverance  
 ‘ in their destructive Measures could stagger  
 ‘ the Firmness of the BRITISH NATION,  
 ‘ we are resolv'd effectually to defeat all such  
 ‘ groundless Expectations, and to convince  
 ‘ the World, that the INTREAGUES of a  
 ‘ FEW cannot, in any Degree, abate or  
 ‘ slacken that Vigour and Resolution, with  
 ‘ which a true Love and Concern for OUR  
 ‘ COUNTRY, a just Sense of its Interests,  
 ‘ and an unshaken Loyalty to your Majesty,  
 ‘ have inspired us.’

Could the Senate of *Tiberius* have said more? Could the Parasites of any Court whatever have lick'd the Dust of the Royal Foot-stool with more Servility? Did the stupid and incorrigible Jews sin more against common Sense, when they set up their Calf, and proclaim'd, *These are thy Gods, O ISRAEL?* And yet this was the Voice of those

those who were become the *Representatives of Great Britain*, to a Sovereign of their *own Chusing*. — My Stomach turns as I write: But, however sick, he that is embark'd, must proceed to the End of his Voyage.

The \* *Jobs* of the Session being over, *May 15th*, his Majesty put a Period to it, with a Speech to both Houses, in which, after

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\* Among which ought not to be forgot, the famous one of the *Army Debentures*, a Brief of which we find thus deliver'd in Parliament, out of the Mouth of the great Patriot *Mr. P.* upon the Motion for an Address to remove *Sir R. W.*

“ We all know what a prodigious Sum that the Debts due to the Army, and to foreign States, were at last brought to, which continued for several Years to circulate under the Name of *Army Debentures*, at an Interest of *four per Cent.* without any Fund for paying off the Principal. Most of those Debentures that were certified before the 21st of *March 1719*, were subscribed into the *South-Sea Company*; but of them there remained unsubscribed near *400,000 l.* and after the 21st of *March 1719*, new *Army Debentures* were made out for Debts not before certified for near *550,000 l.* so that, for some Time before the Year *1727*, there was near a Million circulating in *Army Debentures* at *four per Cent.* without any certain Fund for paying the Principal; for as the *Sinking Fund* had been appropriated to the Payment of Debts contracted before the Year *1716*, some People doubted if it could be applied to the Payment of these Debentures; and as there was always a great Number of them at Market, they came at last to be sold at above *30 l. per Cent.* Discount. But towards the latter End of the Year *1726*, all that could be got at any Discount were bought up, and a certain Shop in this City was par-

after the usual Compliments, he refers to the Siege of *Gibraltar*, now commenc'd, for a Demonstration of the Designs of the Emperor and *Spain*, signifies nevertheless, that, in Conjunction with the most *Christian King*, and the *States General*, he had made Offers of an Accommodation; gives them to understand that *Sweden* had acceded to the Treaty of *Hanover*, and that, together with the most *Christian King*, he had made a \* *Convention* with *Denmark*; glories in the Wonders perform'd by the Commons this Session, as so many Proofs of the Credit, Power and Strength of

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particularly noted for the purchasing such Debentures. At last, upon the 7th of *March 1726*, a Resolution was come to in this House, to pay off all those *Army Debentures*; of which Public Notice was given, and by an Act of the same Session, the *Sinking Fund* was appropriated to the paying off all these Debentures at their full Price, by which the last Purchasers got in a few Months above *30 per Cent.* clear Profit.

“ Whether the Minister himself was personally concerned in this Job, I shall not pretend, Sir, to determine, but some of his Friends were known to be concerned in it.

\* Which hath for its Foundation, the Security of *Sleswick* to the Crown of *Denmark*, and the Maintenance of the Tranquility of *Lower Saxony*, in Order to which his *Danish Majesty* was to keep on Foot, an Army of *24,000 Men*, which was to be reinforc'd with *6000 more* in Case of need. *France* paying *350,000 Rix Dollars* annually for Four Years, to his *Danish Majesty*, &c.

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of this Kingdom; and concludes with a Hint, That he was scarce *able to decide*, whether we should have *Peace or War, &c.*

But tho' his Majesty chose to be so diffident on this great Point, the *Preliminaries* for a general Pacification, were sign'd at *Paris*, within Five Days after the Prorogation; whereby the *Ostend East-India Trade* was suspended for Seven Years, The *English, French and Dutch* were restor'd to all their Commercial Privileges, \* Hostilities were to cease on the part of *Spain*, and a Congress was to be open'd, within four Months, for the final Determination of all Differences.

But this was an Event his Majesty did not live to see; being taken ill in his Way to *Hanover*, and dying at *Osnaburg* June the TENTH, 1727.

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And his *Britannic Majesty* engages to secure *Denmark* from the Insults of the *Russian Fleet*, by sending a sufficient Squadron of good Ships when call'd for: as likewise, to furnish Two Bodies of Troops of 12,000 Each, to join the 24,000 *Danes* before mention'd, upon the first News of the Motion of the *Russians*, or any other Troops whatever, to attack *Sleswick*, and trouble the Repose of *Lower Saxony*.

\* On our Side, none had been commenc'd, except in the Defence of *Gibraltar*; and even in that Case, we behav'd so unaccountably, that the *Spaniards* landed Supplies of all Sorts, for the carrying on the Siege, under the Stern of our *Admiral*, without the least Interruption, or Fear of any.

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As I am not writing a regular History, I am under no Obligation to touch upon this Prince's Character; but, as I have dealt freely with his Reign, I owe this Justice to his Memory, That, tho' his *Heart* was apparently set on aggrandizing his *Hanover Dominions*, he had no Purpose to do any essential Injury to the People of *England*: To make their Ministers answerable for all Faults, we are told, is the Privilege of our Kings; but if it had not been so, he might have challeng'd it as his Right: For being a Stranger to our Constitution, he expressly desir'd in all Things to be directed by it; and, if ever he departed from it, it was because his *Guides* led him astray.

I. The following Particulars are added by way of Supplement, to the Second Part of the First Session, of the First Parliament, after the Accession of K. George I.

I. The King, Jan. 9, 1715-16, in his most gracious Speech from the Throne, assures himself of the Parliaments acting with such a Vigour as will end in the Confusion of all those who had openly engag'd in the Rebellion: In another Part, He acknowledges it to be a Matter of the greatest Uneasiness to him, That the Rebellion should cloud the intended Clemency of his Reign,

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by calling for *indispensible Returns of Severity*; and in the Conclusion, He makes no Question but that the said Rebellion would *abolish all other Distinctions, but of such as are zealous Assertors of the Liberties of their Country, and of such as are endeavouring to subject the Nation to the REVENGE and TYRANNY of a Popish Pretender.*

II. An \* Act was pass'd by both Houses, *for the more easy and speedy Trial of such Persons as have levy'd, or shall levy War against his Majesty*; by which it was provided, That Persons guilty of Treason, and who were in Arms in the Rebellion, were to be tryed for the same, before such Commissioners, and in such County as his Majesty should appoint: whereas, before this Law was obtain'd, the Offenders were to be try'd in the County where the Fact was

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\* To this Bill great Opposition was given in both Houses, and it was prov'd to be directly contrary to *Magna Charta*, and subversive of the antient, undoubted, and fundamental Rights of the Subject: But all this signify'd nothing: *Necessity* was made a general Answer to all that could be urg'd; as if there could be any Necessity for making all the People of *England* Slaves; or any Equivalent could be given for such a Sacrifice.

It is certain, this Act, and the gracious Speech above quoted, were held as Authorities for very severe, if not unjust Proceedings: And a Jury which, in *Southwark*, had acquitted Two Gentlemen, were thereupon dismiss'd; and another were impannell'd by the Court in their Stead.

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committed, by Jurors of the same County, who were suppos'd to be the best Judges of the Fact committed; it being within their Knowledge.

III. A farther Alteration was also made in the Constitution, by the *Riot-Act*, which has been treated of p. 201. For, in Virtue of this Law, four *Rioters* were executed in *Salisbury Court*, as guilty of *Felony*, who would otherwise, have been punish'd with Fines and Imprisonment only.

IV. The \* farther Suspension of the *Habeas-Corpus*

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\* Of these Suspensions of the *Habeas-Corpus* Act, I find it thus written.

Whilst they were so happily possess'd of a Rebellion to carry on their Purposes, many Persons of all Ranks were seized, and without any Forms of Law, or knowing their Accusers, and even without any Accusation at all, were detained a long time in Prison; their Friends and Relations prohibited to come near them, and they not permitted to have common Necessaries: Which Invasion of Men's Rights was so universally practis'd throughout the Kingdom, it would fill a Volume to enumerate how many Persons and Families were undone by it. I have seen a Manuscript in the Hands of a Nobleman, containing the Names of the Oppressors, and an account of Thousands of Innocent People, many of them Persons of distinction, who suffered in their Health, Estates, and several who lost their Lives by that illegal Method of Imprisoning, *ad arbitrium*. Which surely was a great Argument, among a Multitude of others, of the dangerous Consequence of breaking in upon the Fences of National Freedom. Not but that it is a prudent piece of Policy in all Governments, to strengthen themselves by securing the Persons of such Enemies, as plot their Overtrow: But the Methods, these

*beas-Corpus* Act we have before taken Notice of; But it is proper to add, That when Exceptions were taken to it in the House of Lords, as being *wholly unnecessary*, and an Amendment propos'd, That *the Cause of Commitments should be assign'd, and that villanous and false Informers might be punish'd*, those Clauses were rejected, and the People of *England* were again left at the Mercy of the Ministry; tho' it is remarkable, That King *Charles II.* refus'd to be at the Mercy of the People, by parting with his Power over the *Militia*, tho' but for HALF AN HOUR.

V. And it moreover pleas'd this most devoted Parliament to throw in yet another Complement to the Crown, by a † Law to indemnify

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Men made use of, were wholly unjustifiable, and wou'd have rendered them odious, tho' they had done nothing else, that was bad. For, what else could be said of them and their Proceedings, but that the Conservators of the Liberty of their Countrymen, not only gave up the chief Security thereof, which was the *Habeas Corpus*; but shewed the Example themselves to Others, to strike at the Root of the Constitution?

† Of this the Writer just quoted, comments as follows,

As the *Army* was their chief Support, they studied all ways of pleasing the Officers, and subjecting the Common Soldiers to answer their Ends. In order to the first of these, they paid them well, indulged them in all kinds of License, that a victorious Army are prone to; and then to quiet their Minds against the Fear of Suits or Prosecutions for their Out-

rages,

indemnify such Persons, who have acted in Defence of his Majesty's Person and Government,

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rages, they kindly gave them a *Bill of Indemnity* for their sole Use and Protection; and to justify all the Insults and Barbarities they had committed, which were without Number. And when the Country became exhausted by Taxes, and that all Men cried out to have the Army reduced, they fell upon a Scheme to favour their good Friends, and yet seem to comply with the Wishes and Wants of the People: which was to model, the Army so, as to keep up a *great Number of Officers*, and fewer Soldiers. By which means, they had a new Opportunity of Purging that Body of those they disliked, they gratified their Friends, and still retained the same Power to do Mischief, and continued the same Oppression upon the Country.

In Order to subdue the Spirits of the Common Soldiers to all their Uses, they set up *Martial Law*, independent of the Civil Magistrate, and in Times of Peace. This was to act fairly, and take off the Masque at once: since it was, in effect, to set up for a Military Government without further Ceremony. For, how averse soever the Soldiers might be to trample upon the Laws and Liberties of their Countrymen, they were by *Martial Law* to be compelled to it: a Refusal to serve for such Purposes was thereby interpreted *Mutiny*; for which they were instantly to be Shot, being deprived of the Benefit of the Laws of the Land, and totally excluded from their Right by *Magna-Charta* to an equal Tryal by a Jury of their Neighbours. And the Hardship was still the greater upon the Common Soldiers, that, though their Country should not require their Service, and that they should desire to retreat to their Homes, their Families, or some honest Occupation, it was not in their Power; but they were to be put to Death for *Deserters*, to attempt a Delivery from Idleness and Servitude. Thus, by Virtue of this Law, the Soldiers became first enslaved, in order afterwards to bring the Country under Bondage: Whilst the Officers gained a Dominion, which they abused according to the Tyranny of their Natures

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vernment, and for the Preservation of the public Peace of these Kingdoms, in and about the Time of the late unnatural Rebellion, from vexatious Suits and Prosecutions.

and the Pride of Upstarts; and this perhaps might make common Soldiers the more ready to bring their Fellow Subjects into Slavery, that they might all be upon an equal Foot: For the same Purpose, they put the *Militia* under new Regulations, and into the Hands of Men, notorious for Animosity, against the Constitution in *Church and State*, or of so little Interest or Stake in their Country, that they might be depended upon, as proper Instruments to bring it into Subjection.

*The End of the First Volume.*

OF THE  
**USE and ABUSE**  
OF  
PARLIAMENTS;  
In Two  
**Historical DISCOURSES,**

- VIZ.  
I. A General View of Government in *Europe*.  
II. A Detection of the Parliaments of *England*,  
from the YEAR 1660.

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IN TWO VOLUMES.

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*A Maxim of the great Lord BURLEIGH's.*

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L O N D O N:  
Printed in the Year, 1744.

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## S E C T. VIII.

O F T H E

P A R L I A M E N T S

O F

King G E O R G E II.

**N**O Prince was ever usher'd to  
the *English* Throne with more <sup>1727.</sup>  
sincere or universal Acclamations, than our  
present most gracious Sovereign; which  
demonstrated, that *Jacobitism* was at an  
End, that the Hopes of the Pretender were  
blasted, and that the Protestant Succession  
needed no other Guarantee than the Affe-  
ctions of the People.

His Majesty had no sooner taken Pos-  
session of the Throne, but he declar'd in  
Council, *he would cultivate all the Alliances*  
*enter'd into by the late King:* And in his

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first Speech to both Houses, which were extraordinarily Assembled, June 27, we find his Majesty declaring it to be his fixed Resolution, by all possible Means to merit the Love and Affection of his People, which, said He, I shall always look upon as the best Support of my Crown.

His Majesty likewise, was pleas'd to declare, That it should be his constant Care to preserve the Constitution of this Kingdom inviolable, in all its Parts, and to secure to all his Subjects, the full Enjoyment of their Civil and Religious Rights.

He then spoke of the happy Effects of the Vigour and Resolution, which was exerted in the last Session of Parliament, for maintaining the TRANQUILITY and BALANCE OF EUROPE, and declar'd, the strict Union and Harmony which had hitherto subsisted among the Allies of the Treaty of Hanover, had chiefly contributed to the near Prospect of a general Peace.

His Majesty then talk'd about lessening the Public Expence, as soon as the Circumstances of Affairs would permit; signify'd, That he had already given Orders for sending

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ing back some Regiments to Ireland, and that he would proceed to reduce his Forces, both by Sea and Land, as soon as it could be done with Safety to the Common Cause.

He then spoke of the Civil List, after a handsome Introduction, as follows: I am persuaded, THAT THE EXPERIENCE OF PASS'D TIMES, and a due Regard to the Honour and Dignity of the Crown, will prevail upon you to give me this FIRST PROOF of your Zeal and Affection, in a Manner answerable to the NECESSITIES of my Government.

There is a Honey-Moon in the Marriage of Prince and People, as well as Husband and Wife; and while the Fit lasts, all is Gallantry on one Side, and Fondness on the other.

Thus when the Speech was reported, an Address of Thanks was voted *nem. con.* which Address was afterwards, in like Manner agreed to, tho' drawn up by the Masterly Hand, as I find it upon Record, of Sir Robert Walpole.

With Regard to the Contents, It condol'd a little, but it congratulated more: For the Death of his late Majesty, was a Loss, it said, which the present, alone, could possibly repair; the immediate Succession

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cession (or rather the Succession immediately) had banish'd all our Grief.

It enlarg'd, with great Success, on his Majesty's ample Assurances, &c.

It congratulated his Majesty very artificially upon the *signing* of the *Preliminaries*, and yet more artificially, made the near Prospect of a general Tranquility, depend on his Majesty's pursuing the *same Measures*, which had been taken by his *Royal Father*. In Return for his Majesty's Compliments on the Vigour and Resolution of the last Session, they acknowledg'd it for the greatest Encouragement, they could possibly receive, to find his Majesty so early beginning to lessen the public Expences, and resolv'd to reduce his Forces.

In the next Paragraph, they make a Free-will Offering of their *Lives* and *Fortunes*, in Support of his Majesty's undoubted Right and Title.

His Majesty's Royal Virtues are next emblazon'd, and then those of his Royal Consort; nor were the Princely Qualities of his numerous and hopeful Issue forgot, and by way of *Desert*, they take their Leave with a lusty Promise of taking sufficient Care of the *Civil List*.

According to which last Clause, Mr. *Chancellor of the Exchequer*, July 2, in Considera-

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sideration that the Seven Hundred Thousand a Year, granted to the late King, fell short, and they (the House) were oblig'd to make it up another Way; as, likewise, that his present Majesty's Expences, on account of the Largeness of his Family, and the settling a Household for the Queen, were likely to encrease, took upon him to move, That the entire Funds which had been set apart for the *Civil List*, and produc'd about One Hundred and Thirty Thousand Pounds a Year, above the said yearly Sum of 700,000*l.* might be settled on his Majesty for Life.

A surprizing Demand! But what is more surprizing still, scarce any Body besides Mr. *Shippen* appears on Record to have oppos'd it: And upon how good Grounds he did so, will be best understood from the following Extracts, taken from his Speech on that Occasion, which contain too many remarkable Particulars to be omitted:

" I remember very well, that the yearly Sum of 700,000*l.* (tho' now thought too little) was not obtained for his late Majesty, without a long and solemn Debate; and it was allow'd by every one that contended for it, to be an ample, Royal Revenue. Nor was it ask'd inconsiderately, and on a sudden; it was ask'd on mature Deliberation,

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after the Queen's Civil List Branches were found deficient; it was ask'd after many Computations had been made of every Charge requisite to support the Honour and Dignity of the Crown, and to maintain the present Royal Family: It was ask'd, after duly weighing what Provision would be sufficient to answer all the ordinary and extraordinary Occasions of the Civil Government; what would be sufficient to answer all proper Augmentations of Salaries, all reasonable and charitable Pensions, all secret Services at Home and Abroad, necessary to carry on a just and wise Administration: It was ask'd by the honourable Person himself, and others, who were entering into great Employments, who were going to taste of the Royal Bounty; who, therefore, could not possibly be suspected to have any Design of cramping his Majesty by a too contracted and narrow Revenue.

“ Nor is it any Objection to the Reasoning of that Time, when the 700,000 *l.* were granted to the late King, or to the Computations then made, that this Sum is said to have been found by the *Experience of past Times*, not to be answerable to the Necessities of the Civil Government.

For *this Experience* could not be found in the Queen's Reign, because her Civil List Branches

Branches seldom amounted to 600,000 *l.* commonly to about 550,000 *l.* and sometimes to a very little above 500,000 *l.* as appears by Accounts formerly laid before this House; and I will not suppose those Accounts which were brought from the Treasury to be otherwise than true.

“ Tho' her Revenues were so low, yet she called upon her Parliament but once in a Reign of above thirteen Years, to pay the Debts contracted in her Civil Government.

“ But she was so sensible of the Inconvenience, and so determin'd never to apply to her Parliament again in the like Manner, that she order'd a considerable Reduction to be made of her Civil Government Expences. I have seen a Scheme of this Reduction, as it was actually settled a little before her Death, and intended to commence the *Lady-Day* following. 'Twould be tedious to go thro' all the particular Articles of it, and I will only name three or four. The Cofferer's Office Payments were reduced from 85,000 *l.* to 75,000 *l.* The Allowances for Foreign Ministers, from 75,000 *l.* to 30,000 *l.* Pensions and Bounties from 87,490 odd Pounds, to 60,000 *l.* Secret Services from 27,000 *l.* to 20,000 *l.* A Sum surprizingly small, when compar'd with the late Disbursements on that Head!



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In short, the whole yearly Expences were designed to be reduced to 459,941 *l.* And that would have been done without eclipsing the Glory of the Crown; which some Gentlemen so roundly affirm, cannot now be maintained under almost a double Appointment.

“ From hence it appears plainly, that this Argument of *The Experience of past Times*, can have no Reference to the Queen's Reign. It must therefore be apply'd (tho' put in the Plural Number) to the late Administration only; and I confess, if the same Management was to be continu'd, if the same Ministers were to be again employ'd, a Million a Year would not be sufficient to carry on the exorbitant Expences, so often, and so justly complain'd of in this House. For it is notorious, it is fresh in all our Memories, that, besides the yearly 700,000 *l.* there have been many occasional Taxes, many excessive Sums rais'd, and they have been all sunk in that bottomless Gulph of Secret Service. First, the memorable 250,000 *l.* was rais'd (in Defiance of the antient Parliamentary Methods) to secure us from the Apprehensions of a *Swedish* Invasion. Then the two *Insurance Offices* were erected in as irregular a Manner, by a Bill brought into this House (at the latter End of a Session, and after the

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the Committee of Supply had been clos'd) by the *Honourable Person*, on his Return into Power; and those Bubbles paid near 300,000 *l.* for their Charters. Then a new Scene of Affairs opening in *Sweden*, changed our Enmity into an Alliance; there was a Subsidy of 72000 *l.* implicitly granted to make good *some Secret Bargain* and Engagement with that Crown. At the same time near 24,000 *l.* was given for burning two Merchant Ships arriv'd from infected Places; but tho' the Goods, as well as the Ships, were paid for by this House, that they might (without Injury to the Owners) be destroy'd for the Public Safety, yet most of them were privately convey'd into the Counties adjacent to the Port where the Ships lay, and sold there. Then soon after, a Sum of 500,000 *l.* was demanded and granted for the Payment of the Civil List Debts: On which Occasion his late Majesty declared in his Message, that *He was resolv'd to cause a Retrenchment to be made of his Expences for the future*: But, notwithstanding that Resolution, in less than four Years (the Necessities of the Government having render'd the promised Retrenchment impracticable) there was a new Demand, and a new Grant of 500,000 *l.* more, to discharge new Incumbrances. I might

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mention too, the *Spanish* Ships which were taken in the famous *Mediterranean* Sea-Fight, and (as we have Reason to believe) sold for a considerable Sum of Money, Nor is it possible to forget the 120,000 *l.* which we could only be told, the last Session (in a general unexplain'd Article) was *secretly* disposed of, for the Public Utility, for the Conservation of the Peace of *Europe*, and for the Security of the *Commerce* and *Navigation* of *Great Britain*.

“After all these, and other extraordinary Supplies (I am informed) there yet remains a Debt in the Civil Government of above 600,000 *l.* If so, surely there must have been a most egregious Neglect of Duty, to say no worse; there must have been a strange Spirit of Extravagance somewhere; or such immense Sums could never have been so soon, so insensibly squander'd away.”

But all these strong Circumstances were urg'd to no Purpose; the Motion was *unanimously* agreed to; not even the zealous Mr. *Pulteney* dissented; tho' not only He, but every one besides, was fully sensible, that in granting this dreadful Article, they granted all Things; as hath since been fatally demonstrated, in the Report of the *Secret Committee*, appointed to enquire into the

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the LAST Ten Years Conduct of *Robert Earl of Orford*.

They likewise complimented *Queen Caroline* with a Settlement of 100,000 *l. per Ann.* in case she surviv'd his Majesty.

And thus the *sole* Business of this Session (for no body seems to have thought of coupling Redress of *Grievances* with these mighty Donations) being over, his Majesty put an End to it, *July 8*, with a Speech full of Acknowledgments; and having mention'd his Intention to dissolve this *true* and *trusty* Parliament, did not lose the Opportunity of recommending it to *his* People, to chuse just *such another*: For, tho' upon the first Divisions, during the first Session, the *Opposition* appeared to be almost Two Hundred strong, it dwindled by degrees to about Half that Number; who, tho' enough to make a *Noise*, were too few to give his Minister any material Interruption.

The most remarkable Incidents which happen'd during the Recess, were the Coronation, and a \* Treaty between the most

Z 4

Serene

\* The Preamble to which is as follows:

“That the most serene House of *Brunswick-Lunenbourg* has always endeavoured to preserve and cultivate a strict Friendship between all its Branches, which has contributed  
not

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Serene King of *Great Britain*, and the most Serene Duke of *Wolfenbuttel*; who, in Consideration of an annual Subsidy of 25000 *l. Sterling* a Year, engages to guaranty to the said most serene King, not only his Dominions in *Germany*, but also his Kingdoms of *Great Britain*; under a wholesome Proviso however, that his Contingent of Troops, not less than *Five Thousand*, should never be transported into the said Kingdoms.

1727-8. *Jan. 21*, His Majesty open'd the Session with a most gracious Speech, setting forth the Satisfaction he took in being able to give his Parliament *Hopes* of seeing the public Peace soon restor'd, as likewise his *Wishes* that the first

not only to the Honour and Prosperity of the said most serene House, but has likewise been for the Advantage of the Protestant Religion, the Interests whereof the said most serene House has always had at Heart."

"His Majesty the most serene King of *Great Britain* Elector of *Brunswick-Lunenbourg*, and his most serene Highness the Duke of *Brunswick-Lunenbourg-Wolfenbuttel* judging that it will be very necessary for the mutual Good of their said House, as well as for the Benefit of the Protestant Religion, to strengthen the antient Union by new Engagements between his said Majesty and his said most serene Highness, with the only View and Intention to give to each other a Reciprocal Guarantie of their own Countries, and without any Design to give any Trouble, or to cause any Injury either to the Emperor or Empire, nor to any other Power whatsoever. They have for this Purpose given their sufficient Powers to, &c."

Period

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Period of his Reign might have been distinguish'd with a Reduction of his Forces, a Diminution of Taxes, &c. Expressing his *Sensibility* of our present uneasy Situation, in which we have suffer'd the *Inconveniencies* of a War, without any Opportunity of resenting the Injuries we sustain'd; Laying it to the Charge of *Spain*, that the Ratification of the *Preliminaries* had been so long delay'd; mentioning the Pleasure he took in acquainting them, that all Difficulties which retarded the opening the Congress would soon be entirely remov'd; Declaring, however, that it would be absolutely necessary to continue the Preparations, which have hitherto been our Security; Promising *again* to reduce the public Expence as soon as possible; assuring the House of *Commons*, that tho' the Supplies of the Year exceed his Wishes and Inclinations, they should be employ'd *solely* for the Interest and Security of the Nation: Hinting, That if any Method can be found to raise the said Supplies, less grievous than another, it ought to have the *Preference*; Recommending *Greenwich* Hospital to their Care, that Seamen may be invited into the Service rather than be *compell'd* to come in; and closing all with a Caution to both Houses, so to act, as may convince the

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the World that *none* among them were capable, for *any Views* whatever, to wish the *Distress* of their Country, or to give an Occasion from the *Prospect* of *Difficulties* that may *arise* and be *fomented* here at Home, to interrupt or disappoint our present Promising Expectations, &c.

Nothing could better shew the happy Effects of the familiar Intercourse which, since the Revolution, had been open'd between the *Court* and the *House of Commons*, than their Address of Thanks for this most gracious Speech, *Viz.*

That his Majesty was sensible of his People's Grievances, they took as kindly as if he had redress'd them: They thought it was impossible for any Dissention to prevent their feeling the good Effects of his Prudence, as it was for any Event to make them forget the MARKS they had already receiv'd of his Affection.

They extol his Glory to the Skies, for preferring the Care of his People to every other Consideration, even the Peace of all *Europe*, &c. and congratulate him on the *near Prospect* of the Success of his Negotiations: But if those Negotiations should unexpectedly fail, they declare their Resolution to enable his Majesty to do himself *Right*, notwithstanding. They *anticipate* their own  
Votes,

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Votes, and engage themselves to furnish him with *whatever Supplies* may be wanted; in the Assurance, that he will ask *no more* of his People than is NECESSARY for their OWN INTEREST and SECURITY.

They signify their Intention to raise the said Supplies in the Manner *directed* by his Majesty; express an *entire Dependence* on his Majesty's Justice and Wisdom, as to the Application; make no manner of *Doubt* of his Majesty's paternal Goodness in point of the Reductions necessary to be made, some Time or other, for our *present Ease*, without endangering our *future Safety*; assure him, with great Confidence, that they do not imagine any Dangers or Difficulties *can arise*, which his Majesty's Prudence, Caution, Abilities and Experience, with the Assistance of his Allies, his Parliament, and his People, will not *easily dispel*: Undertake for *Greenwich Hospital*; declare, that no Disputes or Differences, among themselves, shall give the Adversary any Advantage; as likewise, that they cannot give better Evidence of their LOVE TO THEIR COUNTRY, than *by a constant* Demonstration of their Duty to the BEST OF KINGS, &c. &c. &c.

Nor did their Actions fall short of their Promises; for they voted first 15000 *Seamen*; and then that the *Standing Army*, under

der the Head of *Guards* and *Garrisons*, should consist of 22,955 Men; this last Article indeed was disputed; the *Minority* contending, that the Augmentation of 8000, made last Year, ought to be \* entirely reduc'd: But it was easy for 290 to confute 84, and so the Army obtain'd another *Victory*.

The 12000 *Hessian* Troops came next into play, and were oppos'd with *Might* and *Main*, by the same † Gentlemen who had shewn their Teeth in the *Affair* of the *Standing Army*: But his Excellency *Mr. H. Walpole* taking upon him to shew, that the said Troops were necessary to *keep* the *Peace* of *Germany*, and that they could not be dispens'd with, till the Congress at *Cambray* was over, the said 84 were *silenced* as before.

If from great Things we may descend to small, it may not be amiss to take Notice, that the *Exchequer* having been robb'd of 4191*l.* 14*s.* 6*d.* a Bill was brought in to indemnify the Office, and saddle the Loss upon the People.

\* 3,600 Private Men had already been disbanded.

† Except *Mr. Pulteney*, who did not attend that Day; and thereby excus'd his great Antagonist *Sir R. W.* the Trouble of a Speech.

Queen

*Queen Elizabeth* left us a Precedent of Subsidies REMITTED to her Subjects; but in this Reign of the BEST OF KINGS, after his generous Commons, within the Space of THREE WEEKS, had given him no less than FOUR † MILLIONS, we meet with a Message, demanding to be enabled (by a Vote of Credit) to discharge such Engagements as *still* remain unsatisfy'd; and such a Vote placing an *entire Confidence*, was pass'd accordingly by 237 Voices against 101, and ordered to be presented to his Majesty by the *whole House*.

The Mortgaging the Surplus of the *Coal Duty* to the *Bank*, having drawn the Produce and Application of the *Sinking Fund* into *question*, a Day was set apart for taking that *Affair* into Consideration, when several Papers having been read, and Clerks examin'd, a Motion was made, "That it appears, That the Monies already issued and applied towards discharging the National Debts, incurred before *Christmas* 1716, (together with the Sum of Two Hundred and

† The Malt Tax computed at	_____	_____	<i>l.</i>
The Land Tax at 3 <i>s.</i>	_____	_____	750,000
The Loan made by the Bank on a 70,000 <i>l.</i>	_____	_____	1,500,000
Annuity arising from the Duty on Coals	_____	_____	1,750,000
			Twenty

Twenty Thousand Four Hundred Thirty-five Pounds, sixteen Shillings and Fourpence Three Farthings, which will be issued at *Lady-Day* 1728, towards discharging the said Debts,) amount to Six Millions, Six Hundred Forty-eight Thousand, Seven Hundred Sixty-two Pounds, Five Shillings and One Penny Farthing."

Hereupon there arose a very warm and long Debate, that lasted till past Eight of the Clock in the Evening; in which the Minority, headed by the Two *Pulteneys*, &c. urg'd, "That, notwithstanding the Supplies which were annually raised in the last Reign, notwithstanding the great Sums of Money given from Time to Time, for extraordinary Expences, and secret Service, notwithstanding the Produce of the *Sinking Fund*, the *Public Debts*, for the gradual Discharge of which that famous Project was said to be contrived, were rather encreased than lessened; and this in a Time of almost uninterrupted Peace and Tranquility, which must be owing to a very profuse Management of the public Treasure; and yielded but a very melancholy Prospect; since, at this Rate, our Debts must still grow faster, in case of a War, or public Troubles; so that the heavy and numerons Taxes that  
now

now lay upon the Nation, must be perpetuated to the latest Posterity."

Then, entering upon Particulars, they took Notice of the Artifice with which the *Accounts* that lay before them, were drawn up: That, in order to swell *That* of the Sums said to have been issued and applied towards the Discharge of the public Debts, incurred before *Christmas* 1716, there was added to it above three Millions, for the advanced Price given in the Year 1720, in order to make the Irredeemables redeemable, which could not properly be call'd a Payment of those Debts; whereas, on the other hand, in the Account of the present *National Debt*, or of the Increase of that Debt since *Christmas* 1716, several large Sums were omitted; particularly One Million, raised upon the Credit of the *Civil List*, and several Deficiencies on the *Land Tax*, *Malt*, and other Funds, which certainly still remained a *Public Debt*. Sir R— W—, against whom these Objections and Reflections were chiefly levelled, not only sustained, but attempted to repel the Attacks of his Antagonists; and, in a long Speech, having shewed the Nature and State of the public Debts, and the Operation and Efficacy of the *Sinking Fund*, strenuously maintain'd the Assertion contain'd in the Motion

tion; which was finally carry'd, and in a pompous Representation, laid before his Majesty, by way of Triumph; to which he was pleas'd to return a most gracious Answer; which, for Reasons but too obvious to every Reader, deserves to be inserted entire.

*Gentlemen,*

“ I Cannot but be very well pleas'd with  
“ this Representation, which must  
“ give general Satisfaction to all my Peo-  
“ ple, by removing those groundless Jea-  
“ lousies and Apprehensions which have  
“ been propagated and disperfed through-  
“ out the Kingdom.

“ The happy Effects of the flourishing  
“ State of the Public Credit are too sensi-  
“ bly felt and seen, not to be confessed and  
“ acknowledged by every Body.

“ And the Provision made for gradually  
“ discharging the National Debt, is now  
“ become so certain and considerable, that  
“ nothing, but some unforeseen Event, can  
“ alter or diminish it: Which gives us the  
“ fairest Prospect of seeing the Old Debts  
“ discharged, without any Necessity of in-  
“ curring New Ones.

“ And you may be assured, That it shall  
“ be my particular Care and Study to main-  
“ tain and preserve the Public Credit, to  
“ im-

“ improve the Sinking Fund, and to avoid  
“ all Occasions of laying any new Burthens  
“ upon my People.”

All these, it is apparent, were Court Points; let us now see what was obtain'd on behalf of the Subject.

1. The Coal-Tax being *peculiar* to the Port of *London*, and consequently laying *peculiar* Hardships both on the Trade and the Inhabitants thereof, the *Lord-Mayor*, &c. presented a Petition against the Mortgage to the *Bank* above-mention'd, as tending to *perpetuate* the said Tax; but had the Mortification to have their Petition rejected, by a Majority of 214 against 92.

2. A Motion having been made to address for a particular and distinct Account of the 250,000 *l.* which, in the Accounts of the Year 1727, is charg'd to have been issued for *Items* not therein specify'd, such an Address was permitted to pass, and was presented to his Majesty; who, in his most gracious Answer, was pleas'd to quote the *Concessions* made by the House to his Royal Father; and further to signify, That the Sum in question had been apply'd, partly by his Father, and partly by himself, for carrying on necessary Services, of the utmost Importance to these Kingdoms, which require the greatest Secrecy, &c.

A a

3. Mr.

3. Mr. *W. Pulteney*, hereupon, rais'd several Objections against such a vague and general Way of accounting for Public Money, as tending to render Parliaments altogether *useless*, to cover *Embezzlements*, and to *skreen* corrupt and rapacious Ministers: The Majority were, however, of a different Opinion; for a Motion being made to adjourn the House, it was carry'd by 202 Votes against 66.

4. In the Account general of the Public Debts, laid before the House, it appear'd that one whole Article, relating to the Duty upon Wrought Plate, was *left out*; upon which Occasion, some severe Reflections were made on the Neglect and Carelessness wherewith the public Accounts, laid before the House, were made up: And, in order to prevent the like for the future, it was mov'd, That all Accounts deliver'd to the House, from the *Exchequer*, should be sign'd either by the *Auditor*, or the Clerk of the *Pells*, or by their Deputies: But even this was too great a Favour to the Public; and therefore had a Negative pass'd upon it.

Lastly, A few Days before the Close of the Session, Mr. *Pulteney* having urg'd, that great Abuses had been committed in the Grants of Wood-Falls in the late Reign; and

and a Motion being made for an Address, that an Account of Falls and Sales, from *Christmas 1715*, to *June 1720*, might be laid before the House, Sir *R. W.* was pleas'd to express his Disapprobation of such an Address, as what *might be injurious to the Dead, and unprofitable to the Living*; and, thereupon, the *Previous Question* stifled all further Proceedings.

*May 28*, His Majesty, in a most gracious Speech, acknowledg'd the Dispatch, Zeal, and Unanimity of both Houses, signified his Expectations that the Congress would *soon* be open'd, and *soon* happily clos'd; Thank'd the Commons in particular for their effectual Supplies, &c. and put an End to the Session.

In *June* the said Congress was open'd at *Soissons*, under the Mediation of FRANCE; and in *September*, his Majesty took Possession of his Stall at *Windsor*, as Sovereign of the *Garter*, with the usual Ceremonies; which are the only remarkable Events, which happen'd during the Recess; except the Arrival of the Prince of *Wales* from *Hanover*; who, after having been so long neglected, was sent for in such a Hurry, that scarce any Preparation was made for his Reception: Whence we are fairly authoris'd to conclude, that, had not an intended Motion of



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the Anti-Courtiers relating to his R. H. taken Air, *England*, perhaps, would have lamented his Absence at this Day.

1728-9. *Jan. 21.* His Majesty, in a most gracious Speech to both Houses, set forth his Concern, on being *again* oblig'd to speak to his Parliament in a State of *Uncertainty*, and that a just Regard for the Ease and Interest of his People alone prevail'd with him rather to suffer some *temporary Inconveniencies* with the daily Prospect of Peace, than, too precipitately, to kindle a War in *Europe*, and plunge the Nation into still greater and unknown Expences.

He then bestow'd two Paragraphs upon the happy Union establish'd among his Allies, and the happy Effects to be expected from it.

*Again* mention'd his *Hopes* to have seen the Public Expences lessen'd before that Time, but found Reasons to demand a Continuance of them; declin'd a Detail of the Causes and Motives of the present Delays in the Courts of *Madrid* and *Vienna*. 'But  
' IF, among other Reasons, continued his  
' Majesty, Hopes given from *hence* of creating *Discontents* and *Divisions* among my  
' Subjects, and a Prospect of seeing Difficulties arise at Home, have *greatly encouraged* them in their *dilatory* Proceedings,

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' ings, I am persuaded, that your known  
' Affection to me, and a just Regard for  
' your own Honour, and the Interest and  
' Security of the Nation, will determine  
' you effectually to discourage the *unnatural*  
' and *injurious Practices* of SOME FEW,  
' who suggest the *Means* of *distressing* their  
' Country, and afterwards clamour at the  
' *Inconveniencies* which they themselves  
' have occasioned. It is more than probable,  
' that foreign Courts will wait now  
' for the Result of your Deliberations, and  
' as you may depend upon my *Constancy*  
' and *Steadiness*, that no wicked and ground-  
' less *Suggestions* or *Insinuations* shall make  
' me *depart* from my *present Purposes*, so I  
' entirely rely upon your *Wisdom* and *Unanimity*, &c.

However home these Reflections were upon those who oppos'd the Court Measures, or how apparently soever tending to abridge the Freedom of Parliament, the Majority of both Houses betray'd no Regretment; but, on the contrary, insisted upon Thanks for, and Compliances with, every Article: When, therefore, the *Minority* in the House of *Commons* stick'd only for the Alteration of a *single Word* in the Address, RESTORE for SECURE *the Commerce*, and supported their Claim with unanswer-

able Reasons, drawn from notorious Facts, they were defeated by 249 Voices against 87.

Having given this Earnest of their Ductility and Complaisance, we are not to wonder that the whole Session was of a-piece.

Fifteen Thousand Men were voted, in the first Place, for the Navy, and 23000 for Guards and Garrisons; tho' both Mr. *Pulteney* and Mr. *Shippen* undertook to shew how dangerous and useles a *Standing Army* was to *England* in Times of *Peace*: The Last, in particular, quoted the *Bill of Rights*, and made no Scruple to ascribe the Misfortunes of *James II.* to the Breaches he made in our Constitution, by endeavouring to introduce a Military Government.

But all was in vain; in the Market, Money governs all Things; and neither Philosophy nor Rhetoric are of any Weight.

Thus, likewise, when the Pay of the 12,000 *Hessian* Forces, amounting to 241,259*l.* 1*s.* 3*d.* and 25,000*l.* for those of *Wolfenbuttle* came under Consideration, tho' Mr. *Pulteney* urg'd, that the Landgrave of *Hesse* maintain'd but 5000 *additional* Men for the Service of the Allies of *Hanover*; that his Highness of *Wolfenbuttle* had made *no Augmentation at all*; and consequently, that we ought to pay for no more than were actually

actually *rais'd* upon our Account; the Majority would hear of no Abatement. The King's Engagements were to be made good, and Loyalty got the better of Oeconomy. An Address, however, was obtain'd, That whenever it was necessary for his Majesty to take *foreign* Troops into his Pay, he would be graciously pleas'd to use his *Endeavours*, that they might be cloath'd with the Manufacture of *Great Britain*.

At the same time, likewise, the annual Subsidy of 50,000*l.* was voted to the King of *Sweden*.

But, over and above these open and avowed *State-Jobs*, which were necessary for the Support of our *foreign System*, our notable Ministers had, likewise, certain other Points to carry, which were equally necessary to make Things easy at Home.

*Navy Bills* were now circulating considerably under Par, as Army Debentures had done formerly, and consequently presented a new Opening for one of those golden Harvests, without which, it seems, no *Government is worth serving*.

Accordingly an Account was call'd for, and presented to the House, of the Amount of the Interest Money which had been paid for *Navy* and *Victualling Bills*, from *December 25, 1721, to Dec. 25, 1728*; upon

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which, the Leaders of the Opposition, taking the Alarm, first declar'd, That, notwithstanding the Oeconomy said to be established in the Management of the Revenues, it appear'd the Public Debts encreas'd every Year; and then mov'd, That the Supplies necessary for the current Service of the Year might be rais'd without creating any new Debts upon any new Fund whatsoever: But as this was laying the *Ass* to the *Root*, the Motion pass'd in the Negative, I think, without a Division: And, some Days after, 500,000 *l.* was granted for discharging the like Sum in *Exchequer Bills*, made forth towards the discharging the Wages due to Seamen.

With regard to Ways and Means, besides the *Malt Bill*, Three Shillings in the Pound were this Year laid upon Land, &c. and 1,000,250 *l.* was rais'd by Sale of *Annuities*, not exceeding 50,000 *l. per Ann.* redeemable by Parliament: But when a Motion was made for the House to consider of proper Means to take off the Duties upon Soap and Candles, the Previous Question was put, and pass'd in the Negative, by 217 against 79.

But that which, at this Time, principally engross'd the Attention of the Nation, was the State of our Commerce, with respect to the *Outrages of Spain*: By way of Introduction,

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duction, therefore, to what was to follow, a Motion was made, That the *South Sea Directors* do lay before the House an Account of the Demands which the Company had upon the *Spaniards*, since the Year 1717, for Seizures made by them on the said Company; but such an Interest had the *Spaniards* in the House, that the Question was carry'd in the Negative.

Not discourag'd, however, by this unpromising Outset, the Merchants of *London*, *Bristol*, and *Liverpool*, trading to *America*, severally presented Petitions, setting forth the Losses they had sustained by the Depredations of that insulting Nation; and made out their Allegations at the Bar of the House, in so full and undeniable a Manner, that even the Minister himself could not avoid *permitting* the following Resolution to pass, *Nemine Contraicente*, viz. "That an humble Address be presented to desire his Majesty to use his *utmost Endeavours*, to prevent such Depredations, to procure just and reasonable Satisfaction for the Losses sustain'd, and to secure to his Subjects the free Exercise of Commerce and Navigation to and from the *British Colonies in America*."

To all which Particulars, his Majesty was pleas'd to return a gracious Answer; and the House return'd the *Compliment* with an Address of Thanks.

The

The House, afterwards, proceeded to take into Consideration the Sufferings of the Merchants trading to *Spain, Portugal, and Italy*; and, in the Issue, resolv'd, That several Ships, Merchandizes, and Effects, belonging to the said Merchants, had been taken and seized in Violation of Treaties, for which no Restitution had been made, and that the Masters and Crews of several of the said Ships had been *barbarously and inhumanly* treated.

But, in order to make their *Court* to the *Minister*, as well as *temperize* with the Resentments of the People, this last Vote was coupled with another, which declar'd, That the Orders given to *Hofier* to block up the Flota and Galleons, until Justice and Satisfaction should be given to his Majesty and his ALLIES, were *just, prudent, and necessary*; tending very much to prevent an open *Rupture*, and to *preserve* the *Peace and Tranquility of Europe*.

Thus, like what is fabled of the *Salamander*, did the said *Minister* find *Sustenance* in the very Flame which was kindled to consume him; and left his Enemies blinded with their own Smoke.

Before we leave this Subject, 'tis however necessary to follow it into the other House, where we find their Lordships, in a full House,

House, (*March 18.*) considering the State of the Nation, particularly with relation to the positive Demand made by the Court of *Spain*, for the Restitution of *Gibraltar*, grounded on a Letter written in the Year 1721, by his late Majesty to the King of *Spain*: A Copy of that Letter in *French*, with the Translation of it in *English*, having, with other Papers, been laid before the House, the said Translation was read, as follows:

*Sir, My Brother,*

I Have learn'd with great Satisfaction, by the Report of my Ambassador at your Court, that your Majesty is, at last, resolv'd to *remove* the *Obstacles* that have for some Time delay'd the entire Accomplishment of our Union. Since, from the Confidence which your Majesty expresses towards me, I may look upon the Treaties which have been in Question between us as re-establish'd; and that, accordingly, the Instruments necessary for the carrying on the Trade of my Subjects, will be deliver'd out, I do no longer balance to assure your Majesty of my Readiness to SATISFY you, with regard to your Demand touching the RESTITUTION of GIBRALTAR; promising you to make use of the first favourable Opportunity to regulate this Article, with the Consent of my Parliament.

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ment. And to give Your Majesty a farther Proof of my Affection, I have order'd my Ambassador, as soon as the Negotiation with which he has been charg'd, shall be finish'd, to propose to your Majesty new Engagements to be enter'd into, in Concerne and jointly with *France*, suitable to the present Conjuncture, not only for strengthening our Union, but also for securing the Tranquillity of *Europe*: Your Majesty may be perswaded that I, on my Part, will shew all the Facility imaginable, promising my self that you will do the same, for the mutual Benefit of our Kingdoms, being most perfectly,

Sir, My Brother,

June 1st, Your Majesty's Good Brother  
1721.

To the King of Spain, *GEORGE R.*  
*Monsieur my Brother.*

After a long Debate it was moved to Resolve, That it is the Opinion of this House, That for the Honour of his Majesty, and the Preservation and Security of the Trade and Commerce of this Kingdom, effectual Care should be taken in the present Treaty, That the King of *Spain* do renounce all Claim and Pretension to *Gibraltar* and the

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the Island of *Minorca*, in plain and strong Terms.

But after a smart Debate, the Question being put thereupon, it was carry'd in the Negative; upon which, several Peers enter'd the following Protest.

*Dissentient,*

1. Because we think our Right to a Place of such Importance to our Commerce, as *Gibraltar*, should be secur'd by more than General Stipulations, which may be liable to different Constructions, and will probably be interpreted by the *Spaniards* in their own Favour, however we may interpret them in ours.

2. Because the King of *Spain* having claimed it by his Ministers several Times, not only from the late King's positive Promise, as he asserts it to be, but of our Forfeiture of it too, by our Infractions of those Conditions on which he gave it up to us, and having actually besieged it, since he yielded it to us by Treaty, it seems reasonable to us, That we should insist upon his making his Renunciation of it in Words as plain and strong as he has made his Claim to it; especially since, as far as we have heard, our Plenipotentiaries have not been able to prevail upon him to shew any Inclination

nation to relinquish his Pretensions to it, during the long Course of these perplex'd Negotiations; in which we have been unskilfully, as we fear, and, we are SURE, we have been unfortunately, involved.

3. We think it is incumbent upon us to take particular Care, that our Right to it should not in the least be precarious, because we apprehend we have great Reason to fear, that the King of *Spain's* Allies are very desirous to have it again in his Hands; and no Reason at all to believe, that our own Allies are solicitous to have it continue in ours. If there should be the least Room left, upon a Peace, for the King of *Spain's* Pretensions to it, from any loose or doubtful Expressions, we are apprehensive it may lay a Foundation for Uneasiness and Animosity, and might interrupt a perfect Harmony between us and a Nation whose Friendship must always be of the greatest Advantage to us: We think, our Zeal to preserve our Title to it in that most effectual Manner we propos'd, would have terrify'd any wicked Ministers, even from the Thoughts of giving it up; if ever we should be in such wretched Circumstances, as to have any who might think a War more dangerous to themselves than the Nation; and who might, for that Reason,

Reason, be tempted to purchase an inglorious Peace, at the high Price of so valuable a Part of the *British* Dominions.

- |                   |                             |
|-------------------|-----------------------------|
| <i>Beaufort,</i>  | <i>Bathurst,</i>            |
| <i>Strafford,</i> | <i>Foley,</i>               |
| <i>Craven,</i>    | <i>Willoughby de Brook,</i> |
| <i>Boyle,</i>     | <i>Litchfield,</i>          |
| <i>Abingdon,</i>  | <i>Coventry,</i>            |
| <i>Weston,</i>    | <i>Oxford &amp; Mort.</i>   |
| <i>Berkshire,</i> | <i>Montjoy,</i>             |
| <i>Scarsdale,</i> | <i>Plymouth.</i>            |
| <i>Gower,</i>     |                             |

The next Day, (*March 19*) the Lords sent a Message to the Commons, desiring a present Conference with them in the Painted Chamber, relating to *Gibraltar* and the Island of *Minorca*; which being readily agreed to, the Managers for the Lords communicated to those of the Commons, a Resolution which the Lords had come to, as follows:

*Die Martis 18 Martij 1728.*

**R**esolv'd by the Lords Spiritual and Temporal, and in Parliament assembled, that they do entirely rely upon his Majesty, That he will, for the Maintaining the Honour, and securing the Trade of this Kingdom, take effectual Care in the present Treaty, to preserve his undoubted

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doubted Right to *Gibraltar* and the Island of *Minorca*.

The Lord *Malpas*, one of the Managers for the Commons, having Reported the Conference to the House, it was resolv'd, to address his Majesty for a Copy of the Letter written by his late Majesty to the King of *Spain*, in 1721, relating to *Gibraltar*. This Letter having accordingly been laid before the House, the Commons took the same into Consideration on *Friday* the 21<sup>st</sup> of *February*, together with the Lords Resolution above-mention'd; upon which, there was a very long and warm Debate. Many ungracious Reflections were made upon those who first advis'd his late Majesty to write such a Letter, as either imply'd, or at least, was taken by the *Spaniards*, as a *positive Promise* of giving up *Gibraltar*; and therefore might be look'd upon as the main Source and Occasion both of the subsequent Measures that have been pursu'd to recover that false Step, and of the Difficulties we at present labour under. The Courtiers endeavour'd to justify those Measures, and assur'd the House, that effectual Care had been taken in the present Negotiation, to secure the Possession of *Gibraltar* to the Crown of *Great Britain*: But they were answer'd, That the same did not plainly ap-

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appear by the Tenor of the Provisional Treaty; and therefore it was Moved, and Insisted by the Country Party, That to the Lords Resolution, now under Consideration, the following Words might be added, *viz.*

‘ And that all Pretensions on the Part of  
‘ the Crown of *Spain* to the said Places, be  
‘ specifically given up.

But after some further Debate, the Question being put upon the said Motion, it was carry'd in the Negative, by 267 Voices against 111. After this, the Question being put, *That this House does agree with the Lords in the said Resolution*, it was carry'd in the Affirmative without dividing; The Blank in the Lords Resolution having been fill'd up with the Word *Commons*; and the said Resolution form'd (*March* 24) into an Address, both Houses, with their Speakers, presented the same to his Majesty, on *Tuesday* the 25<sup>th</sup> of *March*; and thereupon his Majesty was pleased to return the following gracious Answer:

*My Lords and Gentlemen,*

I Thank you for the Confidence you repose in me: I will take effectual Care, as I have hitherto done, to secure my undoubted Right to *Gibraltar*, and the Island of *Minorca*.

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Again,

Again, *April 17*, the Lords, as before, having taken the State of the Nation into Consideration, very severe Reflections were made on the late Conduct of those in the Administration; and it was proposed to resolve, 'That it appears to this House, that  
' the Expence of the Squadron sent to the  
' *West-Indies* under the Command of Vice-  
' Admiral *Hofier*, having been borne by this  
' Nation alone, tho' design'd to prevent the  
' *Spaniards* from seizing the Effects belong-  
' ing to his Majesty's Allies, as well as his  
' Subjects, which were on Board the *Flota*  
' and *Galleons*, and from applying the Treas-  
' ure to disturb the Peace and invade the  
' Liberties of *Europe*, has been an unreason-  
' able Burthen on this Kingdom.'

But, after a long Debate, the Question being put thereupon, it was resolv'd in the Negative, by 87 Votes against 27. Hereupon, several Lords sign'd and enter'd the following Protest, *viz.*

*Dissentient*

1st, Because we conceive, that our Allies were, at least, as much concern'd as our selves, to prevent the *Spaniards* from disturbing the Peace, and invading the Liberties of *Europe*, if there was, at that Time, sufficient Foundation to apprehend such At-  
tempts

tempts on the Part of *Spain*; and, because our Allies the *French*, in particular, had a much greater Share in the Effects of the *Galleons*, than this Nation; and by consequence were much more concern'd in Interest, to prevent the King of *Spain* from seizing those Effects.

2dly, Because we not only took the whole Charge of this Expedition upon our selves, but have increas'd our national Forces, by taking great Numbers of foreign Troops into our Pay, and contracted to pay divers Subsidies to Foreign Princes, when it has not appear'd to us, in any authentic Manner, as we apprehend, that our Allies have taken upon themselves, any Expence, proportionable to this, in consequence of the *Hanover* Treaty.

3dly, Because we are convinced, that the National Expence and Losses occasion'd by this Expedition, do not only very far exceed any Interest which the Subjects of this Nation can be suppos'd to have in the *Galleons*; but have likewise been much more considerable than any Detriment which has accrued to *Spain*, by delaying the Return of the *Galleons*.

4thly, That by taking this Expedition solely upon our selves, we drew the whole Resentment of the Court of *Spain* upon this  
B b 2 Nation,



Nation, and gave the *French* an Opportunity of healing the Breaches which had been made between those two Courts, of acquiring a greater Share than ever they had in a most beneficial Branch of Trade, and of acting the Part of Mediators, rather than that of Parties in the Disputes.

5thly, We cannot help being of Opinion, that this Burthen was the more unreasonable, since it does not appear that this Expedition has had the Effect of obliging the *Spaniards* clearly to adjust the Points in Dispute between us, or effectually to secure to our Merchants a just Satisfaction for the great Losses which they have sustained by the Seizures and Captures made by the *Spaniards*.

<i>Beaufort,</i>	<i>Montjoy,</i>
<i>Strafford,</i>	<i>Plymouth,</i>
<i>Craven,</i>	<i>Batburst,</i>
<i>Foley,</i>	<i>Northampton,</i>
<i>Litchfield,</i>	<i>Coventry,</i>
<i>Scarsdale,</i>	<i>Oxford and Mortimer,</i>
<i>Gower,</i>	<i>Willoughby de Broke.</i>

We must now return to our proper Province, the Transactions of the Commons; who having voted an Address, That his Majesty would be graciously pleas'd to lay before this House, a particular and distinct Account  
of

of the Distribution of the Sum of 60,000 *l.* which, in an Account laid before the House, shewing how the Money given for the Service of the Year 1728 has been dispos'd of, is charg'd to have been *issued* to perfect and fulfil the *Obligations* his Majesty is under, on Account of Engagements enter'd into, and concerted, for securing and preserving the Peace of *Europe*;

His Majesty was pleas'd to answer, 'That the said Sum had been issued and disburs'd pursuant to the *Power* given to his Majesty by *Parliament*, for necessary Services and Engagements enter'd into, for restoring and preserving the Peace of *Europe*, and which require the *greatest Secrecy*; and, therefore, a particular and distinct Account of the Distribution of it, *could not possibly be given* without a manifest *Prejudice* to the Public.'

It is observable, that to the *Minister* then in Power, an Escape was ever worth as much as a Victory: Thus, having baffled his Pursuers in the Affair of the *Spanish* Depredations, he thought himself authoriz'd to levy Contributions:

Accordingly, towards the latter End of *April*, he made a bold Demand of 115,000 *l.* said to be deficient in, or out-standing upon Arrear to, the *Civil List*, which it was

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urg'd, the \* Parliament had oblig'd itself to make good.

The first Step taken in this Affair was by a Motion of the *Secretary of the Treasury*, for an Address to the King, That the proper Officers might be directed to lay before the House of Commons, an Account of the *Produce* of the Civil List Revenues, within the Year, from *Midsummer* 1727, to *Midsummer* 1728, over and above the annual, weekly, or other Payments and Incumbrances thereon, and over and above all Grants made by any of his Majesty's Predecessors.

Though the Design of this Motion was easily apprehended, yet it was a Surprize to many Gentlemen that it should be made so late in the Session, and after the Recess of *Easter*, and when it was generally understood that there was no farther Demand of Money to be made; since it related to an Account said by the *Gentlemen*, who made the Motion, to have been closed at *Midsummer* 1728, and consequently proper in every Respect (if at all) to have been

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\* By a Clause, which, we are assur'd, was neither authoriz'd by the Resolution upon which the Bill was order'd to be brought in, nor directed by any subsequent Instruction.

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brought in very early in the Session, and to have been considered in a full House; but the Surprize of Gentlemen became still greater, when the Accounts were laid before the House, and it appeared that, contrary to the Words of the Address, and the King's Answer, they were made up, not upon the *real, Net Produce* of the Revenues, but upon what was called the *Net Receipt* within the Year; and that this material Alteration was made by Direction from the *Treasury*, and by Letters writ to the several Officers by the *same Gentleman*, who had moved the Address for the *Produce*. It was therefore moved, That these Papers should be referred to a *private Committee*, with Power to send for such other Accounts, and to call before them and examine such Officers of the Revenue, as they judg'd necessary; and then to report to the House a true State of the Fact, and whether it did appear to them, that there really was such a *Deficiency* in the *Produce* of the Civil List Revenues, as the *Act* requires should be made good.

But this Motion was oppos'd by the *Gentleman at the Head of the Treasury* and the *Secretary*, who deliver'd these Accounts. When therefore the Gentlemen, who made this Motion, were refused this Committee, (an In-

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dulgence, it was hoped, would have been thought reasonable, in a Case of such Intricacy and Consequence.) They then begg'd, that at least it might be considered in a *full House*; that all Leaves of Absence might be revok'd, and the Members summoned to attend, as had been usual upon Business of less Importance; but this was likewise refused, being opposed by the said *Two Gentlemen*.

The Members, who had been so unsuccessful in these Motions, then moved for several Accounts from the Offices; and being afterwards apprehensive of not obtaining these Accounts in Time, they moved for the Attendance of the Commissioners of Customs and Excise, the Post-Masters General, and other Officers of the Revenue, in order to have all the Light they could possibly obtain, in an Affair they thought of the utmost Importance.

I will not trouble the Reader with the many Differences and Contradictions which there are between all the Accounts first delivered from the Respective Offices, and the Account from the *Exchequer*; nor the particular Differences between them and the last Accounts which were called for, and are in some Instances very extraordinary;

nary; but the Alteration they make in the general Ballance of the Account, is visible by the annex'd *Abstract*; which is farther undeniably confirmed by the remarkable Resolution which the House came to after the Examination of the Officers of the Revenue, and comparing together the different Accounts brought upon this Occasion.

By the Account brought in and signed by the Secretary of the Treasury, the 115,000 *l.* is stated as a *Deficiency*: In the *Resolution* and in the Clause of *Appropriation*, it is called an *Arrear*, and an *Arrear to be re-placed and re-funded*. By the annexed Account there was so far from being a *Deficiency*, that the Produce of the Year was 912,649 *l.* of which 708,368 *l.* was actually received in Money in *London* before *Midsummer* 1728. Received afterwards in Money 128,115 *l.* and standing out in Arrears, in *April* 76,165 *l.* which, whenever they came in, must be accounted as the Produce of that Year, from *Midsummer* 1727, to *Midsummer* 1728. It does not indeed appear by the Accounts laid before the two Houses, at what Times the Arrears were paid in, as it might have done, if all the Accounts called for had been given; but from the Nature of the  
Arrears,

Arrears, such as Bills of Exchange, Money in the Hands of Receivers, or Charges by them made in their Accounts for Duties incurred, it is certain the greatest Part must have been paid within Six Weeks, or sooner, after *Midsummer* 1728; so that the Crown gave Credit to its own Estate, for a few Weeks only; whereas by this Clause, according to the most plausible Construction, which was endeavoured to be put upon it, the Public was to lend his Majesty 115,000 *l.* without Interest, during his Life; and how unlikely this Money is to be ever re-placed, without a manifest Injury to the Servants, and other Creditors of the Crown, at the Time of the Demise, need not be explained to those, who have felt or heard of Losses of the same Kind upon the late Demise: And that some People never intended it should be repaid, I think appears plainly, by their opposing the Motion that was made, to repay this Sum out of the growing annual Surplus of the Revenues, above 800,000 *l.* a Year.

I have before observed, that the \* Revenues granted to King *William*, and granted only

\* Mr. *Trenchard* tells us, that 530,000 *l.* answer'd all the Purposes of the *corrupt* and *vicious* Court of King *Charles* II. and

only towards the End of his Reign, were limited to 700,000 *l.* and soon afterwards reduced: It is here proper to add, that those granted to the late Queen did not amount, one Year with another, to 600,000 *l.* out of which, in the first Eight Years of her Reign, she gave to the Use of the War, and other public Occasions, above 700,000 *l.* The late King had 700,000 *l.* a Year, out of which 100,000 *l.* was settled upon his present Majesty, then Prince of *Wales*; and it must be remember'd that the Grants of Pensions in former Reigns amounting to 35,500 *l.* *per Ann.* which were paid out of the Civil List, during the Reigns of King *William*, Queen *Anne*, and his late Majesty, until some few Years before his Death; and were then, by some Words, collusively inserted at the End of a Clause in a Revenue-Act, charg'd upon the Public; this Charge being therefore taken from the Crown, must be reckoned as so much Increase to its Revenue.

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and that his Successor made some Retrenchments; tho' the Queen Consort, the Queen Dowager, and the Princess *Anne's* Courts were all upon the then Civil List Establishment.

But

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But let us state the Case from the several Papers deliver'd into Parliament.

By the Accounts sign'd and deliver'd by Mr. Scrope the Secretary of the Treasury, there was allowed to be received between Midsummer 1727, and Midsummer 1728

l. s. d. 684,407 10 10 1/2

By Accounts afterwards call'd for by other Gentlemen, there appeared to be the following Articles omitted in Mr. Scrope's Account, and which ought to have been charged to the Receipt before Midsummer 1728.

l. s. d.

By an Account signed by the Commissioners of Excise paid the Queen 18750 00 00 By an Account from the Post-Office the Net Receipt is more than is in Mr. Scrope's Account 3814 12 03

The Receipt of the Wine Licences appears by the Exchequer Account to be more than charged in Mr. Scrope's Account 1396 11 04

23,961 03 07

Total of Net Receipt at Midsummer 1728 708,368 14 05 1/2

Receiv'd

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Receiv'd since for Customs l. s. d. 33013 08 10 1/2 Ditto on Excise 77873 l. 5 s. 1 d. which after the Deduction of 18892 0 1 1/4 said to be Arrears of the Duty arisen between the 11th of June 1727, and Midsummer 1727, is 58981 4 11 1/4

Ditto at the Post-Office 27120 02 08 Ditto Wine Licences 2900 00 00 Ditto small Branches 6100 19 08

128,115 16 1 1/4

Total receiv'd in April 836,484 10 7 1/4

Arrears standing out in the Customs 69883 06 0 1/4

Arrears in the Hands of the Country Post-Masters and others 6282 01 00

76,165 07 0 1/4

Total of the Produce 912,649 17 7 1/2

Given the King for Arrears 115,000 00 00

The Half of 79022 l. 4 s. 9 d. 1/2 in the Customs charged by Mr. Scrope's Account for Drawbacks between Midsummer 1727 and Midsummer 1728, is by a Return from the Commissioners, charged as paid for Duties before Midsummer 1727, and consequently ought to be placed to the Account before that Time

39,511 02 4 1/2

1,067,161 00 00

11

If we add to this the Land Revenues, which are anticipated by Debentures, Fines and Forfeitures; the Sales of Wood, which were always accounted for in the late Queen's Time; the Principality of *Wales*; all the Civil List Revenues of *Scotland*, of all which there is neither any Account of Produce or Disposition; It must be granted, that the Revenues of the Crown, for this Year at least, were more than a Land Tax at 2 s. in the Pound.

There is no need to pursue this Affair any farther. Every body knows the *Minister* carry'd his Point, (by 201 Voices against 115) but every body does not remember, that before the House divided, *Mr. Pulteney* was taken suddenly ill, and oblig'd to withdraw.

I shall say no more of this Session, but that it gave Rise to the first Bill, for imposing a Duty on *English* Spirits; and likewise to another Bill, for the more effectual preventing *Bribery* and *Corruption* in the Election of Members; which took its Rise in the House of Commons, and was sent back by the Lords; with some Amendments, to enforce that wholesome and necessary Law, both by enhauncing the Penalty of 50 l. to 500 l. and other Provisions,

vifions, contain'd in the following Clauses, *Viz.*

1. *And be it enacted by the Authority aforesaid, That such Votes shall be deemed to be legal which have been so declared by the last Determination in the House of Commons, which last Determination concerning any County, Shire, City, Borough, Cinque-Port, or Place, shall be final to all Intentions and Purposes whatsoever, any Usage to the Contrary notwithstanding.*

2. *And be it further enacted, That if any Person who hath, or claimeth to have, or hereafter shall have, or claim to have, any Right to vote in any such Election, shall, from and after the said 24th Day of June, 1729, ask, receive, or take any Money, or other Reward, by way of Gift, Loan, or other Devise, or agree, or contract for any Money, Gift, Office, Employment, or other Reward whatsoever, to give his Vote, or to refuse, or to forbear to give his Vote in any such Election; or if any Person by himself, or any Person employ'd by him, doth or shall, by any Gift or Reward, or by any Promise, Agreement, or Security for any Gift or Reward, corrupt or procure any Person or Persons, to give his or their Vote or Votes, in any such Election; such Person so offending in any of the Cases aforesaid, shall, for every*

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every such Offence, forfeit the Sum of 500 l. of lawful Money of Great Britain, to be recover'd as before directed, together with full Costs of Suit; and every Person offending in any of the Cases aforesaid, from and after Judgment obtain'd against him in any such Action of Debt, Bill, Plaint, or Information, or Summary Action, Prosecution, or being any otherwise lawfully convicted thereof, shall for ever be disabled to Vote in any Election of Member or Members to serve in Parliament, and also shall for ever be disabled to hold, exercise, or enjoy any Office or Franchise to which he and they then shall, or at any Time afterwards may be entitled, as a Member of any City, Borough, Town-Corporate, or Cinque-Port, as if such Person was naturally Dead.

However ineffectual this Bill has prov'd to answer the laudable Ends propos'd by it, those in Power thought their Freeholds invaded by it, and therefore rais'd a warm Opposition to these Amendments of the Lords, as tending to encroach upon the Rights and Privileges of the Commons, in hope that, rather than any Misunderstanding should be created between the Two Houses, the Bill would be dropt: But this Artifice of theirs happen'd for once to be ineffectual; the Court-Party had not

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not been order'd upon Duty that Day, and so the Amendments were agreed to by 91 Voices against 89.

It ought likewise to be remember'd, that this Session, the Commons, by Address, recommended the Settling of a Civil Government at Gibraltar; with what Success, may be seen, by the State of that important Place at this Day.

And now his Majesty, in Imitation of his Royal Father, having taken a Resolution to visit the Land of his Nativity, declar'd the glad Tidings to both Houses by Message, and that he likewise design'd to leave his Royal Consort Guardian of the Realm, during his Absence.

Upon which gracious Indication of his Majesty's Will and Pleasure, the Lords prepar'd a Bill to enable her Majesty to be Regent without taking the Oaths; which being sent down to the Commons, was read *Three Times*, and pass'd the *same Day*.

All Things being thus brought to a Period, *May 14*, his Majesty clos'd the Session with a most gracious Speech, containing the usual Compliment of Thanks, and recommending to both Houses to render her Majesty's Administration as easy as possible; by preserving the Peace, and by

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*endeavouring to discountenance and restrain the vile and seditious Practices of raising unjust Clamours, and creating Discontents in the Minds of the People.*

A Paper: War between the Court of Hanover and the Duke Administrator of Mecklenbourg, relating to the Evacuating of that Duchy, and the Delivery of the Chest of the Revenues, agreeable to the Imperial Ordinances of May 11, 1728, and June 17, 1729, (both which the Court of Hanover refus'd, till they had received entire Satisfaction for the Arrears of the Charges of the Execution) as likewise Another between the Courts of Hanover and Prussia, relating, as far as it appear'd, to the Breach of a Cartel establish'd between the Two Courts, for the Delivery of Deserters, seem to have been the principal Points of Attention, this Summer, in Germany; and as to the Treaty of Seville, which was negotiating during the same Interval, the bare Mention of it is all that will be necessary, till we come to speak of the Reception it met with, from the Parliament.

Jan. 13, the Session was open'd  
1729-30. with a most gracious Speech, declaring *Peace on Earth*, and breathing *Good-will* towards Men: That is to say,  
pro-

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proclaiming the Treaty of Seville, expatiating on the Advantages we had good Reason to expect from it, and affirming, That the *immediate Interests* of these Kingdoms had been first consulted in it, preferable to any *other Consideration*, and at the *Hazard* of all *other Events*: That a *free and uninterrupted Exercise* of our *Commerce* for the Future was *restor'd*: That *just and ample Restitution and Reparation* for unlawful Seizures and Depredations were *expressly* stipulated and agreed to: And, in general, that all Rights, Privileges, and Possessions, in any Manner belonging to his Majesty or his Allies, were solemnly re-establish'd, confirmed, and guaranteed: And that not one Concession had been made to the Prejudice of King or Subject.

That, in order that his Subjects might reap the earliest Fruits of this advantageous Peace, he had given Orders for the immediate Reduction of a great Number of Land Forces, and for laying up, and discharging a great Part of his Fleet.

His Majesty likewise, recommended to the Commons the farther Disposition of the growing Produce of the sinking Fund, left it to them to judge, whether the Circumstances of the *Sinking Fund*, and of the National Debt would, as yet, admit of giving  
C c 2 any



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any Ease where the Duties were most grievous; adding, "I have the greatest *Regard* for the *Sinking Fund*, and look with *Compassion* upon the *Hardships* of the poor *Artificers* and *Manufacturers*." And concluding with the strongest Recommendations of Unanimity; and a Complaint of the groundless Insinuations, Cavils, and Clamours of some few ill-designing Persons, &c.

The Addresses of both Houses, in answer to his Majesty's Speech, tally so exactly with it, in every Article, that one would almost conclude they were all drawn up by the same Hand. As all was Gracious from the Throne, all was Gratitude, Congratulation, Submission, and Resignation on the Side of the People; infomuch, that, if we were to judge of the Temper of the Times, by these favourable Symptoms, we could not help acknowledging, That no Government was more just; no People more happy.

But let us cast our Eye from Matters of Ceremony and Compliment, to Matters of Fact.

The contracting Parties in the Treaty of *Seville*, were the Kings of *Great Britain*, *France*, and *Spain*; and the *Dutch* were invited to accede likewise.

By the *first Article*, all former Treaties of Peace, Friendship, and Commerce were renewed and confirmed. By

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By the *Second*, the contracting Powers reciprocally guaranteed the Kingdoms, States, and Dominions, under their Obedience, in what Parts of the World soever situate, as also the Rights and Privileges of Commerce; the Whole according to the Treaties. This Article, likewise, fixes the Succours to be furnish'd jointly or separately by the contracting Powers, *viz.* 8000 Foot and 4000 Horse each, leaving Room, however, for the Party attack'd, to demand Ships of War, or Transports, or Subsidies in Money, in lieu of the said Troops; settling the Valuation of the same, and farther providing, that the said Powers shall mutually succour each other with all their Forces, if need be.

By the *Third*, the Catholic King declares, That he never *meant* to grant, nor will suffer to subsist, by the Treaty of *Vienna*, any Privilege *contrary* to the Treaties (of Commerce) above confirm'd.

By the *Fourth* it is agreed, That all necessary Orders shall be dispatch'd, without Delay, for the Exercise of the *English* Commerce in *America*, as *heretofore*, and for supplying what may be wanting for the entire Re-establishment of the said Commerce, as to what relates to *Europe*.

By the *Fifth*, his Catholic Majesty engages, That he will cause Reparation to be

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made for the Damages which have been suffer'd there, since the Time prescrib'd by the *Preliminaries* for the Cessation of Hostilities: And as to what relates to AMERICA, that he will likewise cause Reparation to be made for the Damages which have been suffer'd there, since the Arrival of the Orders at *Carthagena*, on the  $\frac{11}{12}$  Day of *June* 1728. And likewise, that he shall publish the most rigorous Prohibitions for preventing the like Violences on the Part of his Subjects; and if there be like Cases, their *Britannic* and most Christian Majesties engage to do the same.

By the *Sixth, Seventh, and Eighth*, Commissioners were to be appointed, who should assemble at the Court of *Spain*, within the Space of four Months, after the Exchange of the Ratifications of the present Treaty, to discuss the Claims and Pretensions on both Sides, whose Commissions were to terminate in *Three* Years.

By the *Ninth*, the Six Thousand *neutral* Troops, which were to garrison *Leghorn, Porto-Farraio, Parma* and *Placentia*, were CHANGED into *Spaniards*, who were to be introduc'd *without Loss of Time*, for the better securing and preserving of the immediate Succession to *Don Carlos*, and to be READY TO WITHSTAND ANY OPPOSITION.

The

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The *Tenth, Eleventh, Twelfth, and Thirteenth*, Articles relate only to the said Troops and Succession, which last is guaranteed in Form by all the contracting Powers to *Don Carlos* and his Heirs for ever.

By the *Fifteenth*, the States General are invited to become Parties. And by Two *separate* Articles, the Commercial Points re-establish'd by this Treaty, are recapitulated, &c. And it is agreed, That all Seizures, Confiscations and Detentions, the Validity of which may not yet have been sufficiently made out, shall be discuss'd and decided by the \* *Commissioners*, upon the Foot of the said Treaties.

Such was the Treaty of *Seville*: But however advantagiously it was represented from the Throne, it met with a very indifferent Reception from the People, who were far from thinking that the great and immediate Advantages which it provided for *Spain*, were, in any Degree, balanced on the Side of *Great Britain*.

The Sanction of Parliament, therefore, became so much the more necessary; and,

\* By a Cedula, which was obtain'd about a Month after, for restoring the Prizes taken from the *English* since the  $\frac{11}{12}$  of *June* 1728, all Prizes taken on Account of UNLAWFUL TRADE were excepted.

according to Custom, was obtain'd with no great Difficulty in both Houses; where the Sense of the Minister seem'd to be almost authoritative; and the Sense of the People had little or no Weight.

The Opposition however, bestir'd themselves with great Vigour upon this Occasion, both within Doors and without, and particularly in the upper House, the following Motions were made.

*Die Martis 27 Jan. 1729.*

“ That the Agreement in the Treaty of *Seville* to effectuate the Introduction of *Spanish* Troops into *Tuscany* and *Parma*, is a manifest Violation of the fifth Article of the *Quadruple Alliance*, tends to involve the Nation in a dangerous and expensive War, and to destroy the Ballance of Power in *Europe*.

“ That our Right of Sovereignty, Dominion, Possession and Propriety to *Gibraltar*, and the Island of *Minorca*, is not ascertain'd by the Treaty of *Seville*, so as to extinguish the Claims and Pretensions set up by the *Spaniards*, which were follow'd by an actual Siege, since the Session of those valuable Places by the Treaty of *Utrecht*.

“ That the Stipulations in the Treaty of *Seville*, for repairing the Losses of our *Merchants*, are insufficient and precarious.

“ All

“ All which, after Debate, severally pass'd in the Negative.

Then it was propos'd, by some *other Lords*, to resolve, “ That the Treaty of Peace, Union and Friendship, concluded at *Seville* the 9th of *November* last, doth contain all necessary Stipulations for maintaining and securing the *Honour, Dignity, Rights, and Possessions of the Crown*; and that all *due Care* is taken therein for the Support of the *Trade* of the Kingdom, and for repairing the Losses suffered by the *Merchants*; which was resolv'd in the *Affirmative*; upon which several Lords entered their \* Protest against it, with their Reasons at large.

It is farther observable, that his Imperial Majesty was so far from looking on the Introduction of *Spanish* Garrisons into *Tuscany* and *Parma* as a trifling Variation from the *Quadruple Alliance*, according to the Doctrine of the *Court Writers*, that He resented both the *Matter* and the *Manner* of it in the strongest Terms, as a downright *Infraction of Treaties*, derogatory to his Honour, and injurious to his Interests, as well as the Rights of the Empire. He ordered his *Ministers* at several Courts to remonstrate

\* *Historical Register*, Vol. XV. p. 202.

against

against it as such ; and sent a † *Commissariat Decree* to the Diet at *Ratisbon*; in which, having vindicated his own Conduct to the *States of the Empire*, there assembled, with relation to *Don Carlos*, He speaks of the *present Stipulation* in the following manner :  
 “ But, contrary to all Expectation, a particular Treaty hath been concluded at *Seville*, between the Crowns of *Spain, France,* and *Great Britain*; the 9th and subsequent Articles of which (*relating to the Spanish Garrisons*) cannot but raise the highest Indignation ; because the most essential Bands of human Society are therein broken, and if *Christian Powers* pretend thus to dispose of the Estates of *third Persons*, all Confidence and good Faith ought to be banished out of the World. Besides, They have no Regard to *former Treaties*, nor to the last *Preliminary Articles*, which were acknowledged by *both Parties* as the Groundwork of the Negotiations for the *general Peace*, and as the only Counterpoise to an exorbitant Power, that was design'd to be erected in *Europe*. They have no Attention to the *Acts of Guaranty*, that have been delivered. They dispose of the Rights and Territories of the *Empire* as They please, even in the

† *Historical Register*, Vol. XV. p. 134.

Life-

Life-time of the *lawful Possessors*. They set so little a Value upon the *Emperor* and *Empire*, that They would not so much as ask their *Consent* in an Affair, that was properly their own, though *such Consent* was made necessary by the Alliance of *London*.—If therefore *such Conduct* takes Place, and the *new Allies* persist therein, We shall hereafter see *Might* overcome *Right*, and *Engagements* trampled on at Pleasure ; and whatever the *new Allies* shall judge to be most convenient will always be most just, without any Regard to *Things*, or *Persons*.”

His *Imperial Majesty* likewise represents to the *Germanic Body*, as a Merit to Himself, \* “ That the Fear of being abandon'd by his Ally, the King of *Spain*, was not capable of making Him take the least Step, that could prejudice *his Dignity*, and That of the *Empire*.”

Nor did his *Imperial Majesty* content himself with shewing his Resentment in *Words* and *Appearances* only ; but actually poured a large Army into *Italy*, with Orders to oppose the Execution of the Treaty : That, however, he might not be supply'd with Money, by Loans from hence, to enable him to continue in this refractory Hu-

\* *Historical Register*, Vol. XV. p. 134.

mour,

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mour, a Bill was read a second Time in Parliament, Feb. 24, *To prevent any Persons, his Majesty's Subjects, or residing within this Kingdom, to advance any Sum of Money to any foreign Prince, State, or Potentate, without having obtain'd Licence from his Majesty under his Privy Seal, or some greater Authority; in which, inter alia, was the following Clause, ' That the King be empower'd, ' by Proclamation, which shall take Place ' within a limited Time, to prohibit all ' such Loans of Money, Jewels, or Bullion: ' And this Prohibition to continue a limited ' Time, under limited Forfeitures and Penalties, unless dispens'd with by the Crown: ' That the Attorney-General be empower'd by English Bill, in the Court of Exchequer, to compel the effectual Discovery on Oath, of any such Loans; and that, in Default of an Answer to any such Bill, the Court shall decree a limited Sum against the Defendant, refusing to answer. Provided, That this Act do not extend to prohibit any Subscriptions to the Public Funds, or Trading Companies of foreign Kingdoms.'*

A \* Debate, as it was natural to expect,

\* In the Course of which, Sir R. W. acquainted the House, That he had the King's Leave to declare, *That there was, at this Time, a Subscription of 400,000 l. transacting here, for the Use and Service of the Emperor.*

arose

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arose upon this Occasion; in which Mr. D. Pulteney, among other important Particulars, urg'd, That he oppos'd this Bill, because it disabled us from assisting our best Allies, truest Friends, and those who really deserv'd our Aid; adding, That it made the Court of *Exchequer* a Court of *Inquisition*; that it gave new, great, and extraordinary Powers to the Crown, already arm'd with *weighty and terrible Authority*: That, whilst it restrain'd our *Merchants* from assisting the Princes and Powers of *Europe*, it permitted our *Stock-jobbers* to trade in their Funds, without any Interruption: That he knew for whose Benefit this Complaisance was design'd: But that *Jobbing* abroad was what we should least encourage, and what we ought most to prohibit; for we had suffer'd severely by that Means already (alluding to the *Mississippi* Affair in *France*) and our Ministry would never interpose with the least good Office for their Fellow-Subjects, &c.

Sir *William Wyndham*, Mr. *Barnard*, and several other Members supported Mr. D. *Pulteney*; but with their wonted Success: All the Considerations they could urge, being over-rul'd, and the Ministry, as ever, continuing victorious.

Such extraordinary Measures were THEN thought

thought necessary to REDUCE the EXORBITANT POWER of the House of *Austria*!

To return to our domestic Affairs: Mr. *H. Pelham* having mov'd for continuing the same Number of Forces (*Viz.* 17,709 Men, Commission and Non-commission Officers included,) Mr. *Shippen*, that constant Opposer of *Standing Armies*, took Occasion to utter the shrewd Particulars which follow:

' Sir, the Principle of Self-preservation will last as long as Persons and Governments themselves subsist, and is an Argument that may be constantly renewed; that may be urged *ad infinitum*. But I am so far from admitting this Argument in its full Extent, that I cannot admit it in any Degree, as applied to the present Question. For it does not appear to me, that we can have Occasion, even this Year, for all the Troops demanded, considering the glorious Scene of Affairs, which the honourable Gentleman says is opened to us, and to all *Europe*: They are not *necessary*, I suppose, to awe *Spain* into a firm Adherence to its *own Treaty*: They are not *necessary*, to force the *Emperor* into an *immediate Accession*: Nor are they, in any sort, *necessary*, for the *Safety* of his Majesty's *Person and Government*.

' Force and Violence are the Resort of  
Usurpers

Usurpers and Tyrants only.—I perceive some Gentlemen take Offence at my Words, and therefore, that they may not be misconstrued, I will repeat them.—I assert then, it is a grounded Maxim in Civil Science, that Force and Violence are the Resort of *Usurpers* and *Tyrants* only; because they are, with good Reason, *distrustful* of the People, whom they *oppress*; and because they have no other *Security* for the Continuance of their unlawful and unnatural Dominion, than what depends entirely on the *Strength* of their *Armies*.

' But it is the peculiar Happiness and Glory of *Great Britain* to be bless'd with a Prince, who wants *no such Support*; who reigns absolute in the *Hearts* of his *Subjects*; who prefers *their Ease and Interest* to the *Lustre and Grandeur* of his Crown; who sets them a Pattern of Prudence and Wisdom; whose Royal Goodness would be offended with continuing any *Tax*, or any *Burthen* upon them, but what is *requisite* to supply the *immediate Occasions* and *Necessities* of his Government.

' For these Reasons, Sir, I cannot assent to the Question. But, before I conclude, give me leave to say, there is an Article in the Estimate, under your Consideration, which I readily allow, in the midst of all  
my

my Frugality; tho' I must at the same time own, with those Gentlemen who dispute it, that it is a new *Item*, and an additional Article to the Estimate of the last Year; I mean the Salary of 200 l. for the Physician of the Tower: For no Person, who shall hereafter have the Misfortune to be confined there, on any Account whatsoever, should want proper Assistance in case of Sickness. Members of this House have been frequently sent thither, and for very different Reasons. Some for *speaking freely*, others for *acting corruptly*. Now, as it is uncertain of what Denomination the Member, or any other Gentleman may be, who shall next be committed to that State-Prison, let us give an Instance of our general Compassion, and not grudge so trifling a Sum for so charitable a Purpose.'

It is needless to take any farther Notice of the Event of these *annual Questions*, since every Reader is, before Hand, acquainted with it.

His Majesty in his most gracious Speech had express'd his royal Compassion for the *Hardships of the poor Artificers and Manufacturers*, and recommended their Case to the Consideration of his Parliament.

In Pursuance of this Recommendation, the Parliament thought proper to abolish  
the

the Duty on *Salt*, after the maturest Deliberation, as the most *oppressive Tax* and what would best answer his *Majesty's Intentions*. At this Time, every Tax, that was thought would give most Relief to the Subject, was fully considered, and the *Minister* then profess'd, *That He had no Opinion of his own, but should leave it to others to do as They thought fit, in this Case*. The only Thing He then fear'd was, That we could not spare enough out of the *sinking Fund* to redeem this *Duty*, since it might reduce it below a *Million*: But he was so far convinc'd at last that it was the most eligible Tax to be taken off, for the Ease of the People, that He *divided for it Himself*.

The Parliament, however, were induc'd to give the *Salt Duty* the Preference, at that Time, for the following Reasons.

1. Because *Salt* was of general Use amongst all Sorts of People; a common Necessary of Life, in the strictest Sense; and therefore in Fact, a Tax upon *Salt* was a Tax upon *Provisions*.

2. Because the Duty upon *Salt* amounted to ten Times as much as it cost at the Pits, which is not above a *Groat* a Bushel, and swelled it to, at least, four Shillings above its intrinsic Value at *London*; for, as

the Price of *Salt* here, at that Time, was Five Shillings a Bushel, the *Duty* was 3 s. 4 d. and it is well known that the *Dealers* always raise the Price above the *bare Duty*; especially when it is so very large and disproportion'd to the *Original Cost*.

3. Because it was a Burthen on the *poor Farmer*, who lived chiefly on *salt Provisions*, and besides, made Use of *Salt* to brine his *Corn*, and manure his *Land*; from whence it follows that it must affect *landed Men*, especiall Those, whose Estates lay in *grazing Farms*, and in many Places prevent the *Improvement of Land*.

4. Because it not only increas'd the Expence of victualling the Royal Navy, but was an heavy Burthen on the Navigation of this Kingdom, by which it affected the Merchants, already distress'd with too many Difficulties, Hardships, and Losses in their Trade, and thereby obliged Them to victual their Ships abroad, to the great Detriment of this Kingdom.

5. Because, notwithstanding the great Sum, which *this Tax* levied upon the *People*, it brought but an inconsiderable Part of it into the *Exchequer*, occasioned by the vast Expences of *collecting* it and *other Deductions*; which was also attended with

with the farther inconvenience of keeping up a great Number of *Excise Officers*, by no Means agreeable to the Inclinations, or compatible with the Interests of a Free People.

6. Because it was a Burthen upon our *Manufactures*, in many Particulars; such as *Leather, Glass Bottles, Earthen Ware, &c.*

7. Because it was liable to great *Frauds* and *Abuses*, by *false Drawbacks, Allowances* and *Deductions*, as all Taxes will be, which so much exceed the Value of the *Commodity*, and afford the *Dealers* so strong a Temptation.

For these and several other Reasons, which were offered to the same Purpose, the Parliament was induc'd, with almost universal Consent, to come to the following Resolution, which They afterwards pass'd into a Law, *viz.*

“ *Resolved*, That the several Duties upon *home-made Salt*, granted to the late King *William* and *Queen Mary*, by an Act of the 5th and 6th of their Reign, for a Term of Years, and since made *perpetual*; and also the additional Duties on all *Salt*, granted by an Act of the 9th and 10th Years of his said late Majesty King *William*, shall from and after the 25th Day of *Dec.*



1730, cease, determine, and be no longer paid.

Thus were the People discharged from these *burthensome Duties*, in Pursuance of his Majesty's *gracious Intentions*, and at a Time, when our Affairs abroad were in the most *perplex'd and uncertain Situation*. This was a Matter of the greatest Comfort to a People groaning under *various Burthens*, and gave Them a pleasing Prospect that the first Opportunity would be taken to give Them farther Relief in *those Taxes*, which had any ways come in Competition with the *Salt*, when our Affairs should be settled into *Peace and Tranquility*. But how have we been deceived in our Expectations? And how true hath it proved, what We have always fear'd, that We should never get rid of *Excises*, when They are once laid on us? The only Instance of Relief, that We have been able to obtain from these *Burthens*, for many Years past, was this Abolition of the Duties on *Salt*; one of those Taxes, which had the terrible Word *forever* annex'd to it; and when We consider that it was look'd on as the most proper and necessary Relief in the Year 1730, I believe nobody could then imagine that it would be revived to the utmost Farthing in the Year 1732.

To

To proceed : The Term, granted by Act of Parliament to the United *East-India* Company for possessing the Right of an exclusive Trade, was so near expiring, that several Merchants and others, applied themselves to obtain, by Parliament, the being incorporated, and vested with the whole Trade to the *East-Indies*, and elsewhere, in the same extensive Degree as was granted to the Company. Their Offer was to advance 3,200,000 *l.* to redeem the Fund and Trade of the present *East-India* Company, to be paid at five different Payments, between *March 25, 1733, to March 25, 1735*, and they proposed, not to trade with a Joint Stock, or in a Corporate Capacity, but to keep the Trade open to all the Subjects of *Great Britain*, upon License from such proposed new Company, to be granted to all his Majesty's Subjects desiring the same, on proper Terms and Conditions. But this Proposal was rejected; and instead of that, it was agreed with the *East India* Company, to secure to them the full exclusive Trade to the *East Indies* till the Year 1766, upon the following Conditions. 1. That the *East India* Company should pay into the *Exchequer* the Sum of 200,000 *l.* towards the Supplies for the Year 1730, without any Interest, or Addition to their Capital Stock

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or

or Debt, for the same. 2. That the Company should consent to reduce their Annuity or yearly Fund of 160,000*l.* payable to them from the Public, to the Sum of 128,000*l.* 3. That after the Year 1766, their Right to the exclusive Trade should be liable (upon three Years Notice, and Re-payment of their Capital Stock of 3,200,000*l.*) to be taken away by Parliament.

There was likewise an Act pass'd for raising Five Hundred and Fifty Thousand Pounds by *Exchequer* Bills, towards the Supply granted to his Majesty; and for the further Application of the Produce of the Sinking Fund.

By this Act the Commissioners of the Treasury were enabled before Dec. 25, 1730, to issue out *Exchequer* Bills to the Value of 550,000*l.* at the Rate of 3*l.* per Cent. per Ann. to be charged on the first Aids granted after Sept. 29, 1730; and till such Supplies be granted, to be charged on such Surplus Monies, as, after March 25, 1730, shall arise from the several Duties charged with the Annuity of 160,000*l.* payable to the *East India* Company, which shall be more than sufficient to pay the Quarterly Payments, or be saved in any manner.

Besides this, it is order'd, That out of the Surplusses of the Sinking Fund arisen on St.

*John*

*John Baptist's* Day, 1730, shall be issued to the *South Sea* Company at the said Feast Day, and afterwards Quarterly, such Monies as shall be on such Quarter Day in the *Exchequer*; for redeeming Part of the Annuities attending on the Capital Stock or Sum due to the Company, till the Payments shall amount in the Whole to 1,000,000*l.* and that as such Payments shall be made, a proportional Part of the Capital Stock and Annuities shall cease for the Benefit of the Public.

But in this Act is farther contained an Appropriation of the Monies granted this Session, of which it may not be improper to mention the Particulars.

To the Navy was allow'd 853,786*l.* To the Hospital at *Greenwich* 10,000*l.* To the Office of Ordnance 94,000*l.* For the Land Forces in *Great Britain, Guernsey* and *Jersey* 651,484*l.* For the Garrisons and Provisions in the Plantations, *Minorca* and *Gibraltar* 160,235*l.* For 12,000 *Hessians* 241,259*l.* Towards making good the Deficiency of the Grants for 1729, 115,446*l.* To Half-pay Officers 64,000*l.* To Out-Pensioners of *Chelsea* Hospital 23,452*l.* Towards maintaining the Forts of the *African* Company 10,000*l.* For extraordinary Services not provided for by Parliament

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28,780*l.*

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28,780*l.* For a Year's Subsidy due to the Duke of *Wolfenbottle* 2500*l.* For Officers Widows 1500*l.* For purchasing a Reversion of *Dougal Cutbert*, in the *Fleet Prison* 2500*l.*

It was during this Session, also, that the famous Self-denying \* *Pension-Bill* was, I think, for the first Time, brought in by Mr. *Sandys*; and after having pass'd the Lower House, by the *Permission* of the *Minister*, was rejected by the Upper; under what Influence, or Direction, I must not take upon me to explain.

I shall close my Remarks on this Session, with the Affair of *Dunkirk*, which, for some

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\* This Bill provided, That no Member should sit, till they had first taken the following Oath:

*I A. B. do solemnly and sincerely swear, that I have not directly or indirectly, any Pension during Pleasure, or for any Number of Years, or any Office in Part, or in the Whole, from the Crown, held for me, or for my Benefit, by any Person whatsoever; and I do solemnly and sincerely promise and swear, that I will not receive, accept or take, directly or indirectly, during the Time of my being a Member of this Parliament, any Pension during Pleasure, or for any Number of Years, or any other Gratuity or Reward whatsoever, or any Office from the Crown to be held for me, or for my Benefit, in Part, or in the Whole thereof, by any Person whatsoever, without signifying the same to this House within Fourteen Days after I have received or accepted the same, if the Parliament be then sitting, or within Fourteen Days after the next Meeting of the Parliament. So help me God.*

I:

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some time past, had not only been publicly repair'd, but appear'd to be an *open Port* by † *Entries* in our own *Custom-house Books*, infomuch, that it became impossible any longer to forbear concluding, either that our Ministers had not been able to prevail on Those of *France* to stop this Violation of the *Treaty*, or else that they connived at it.

In this State of Things, and under such Apprehensions as these, some Members of the *House of Commons* resolv'd to lay this Matter before the *Committee of the Whole House*, appointed to take into Consideration the *State of the Nation*. The Importance of it did, in their Opinions, deserve the most solemn Proceedings, and the Nature of it required, that no more Time should be lost in stopping the Growth of an Evil,

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It likewise enacted, That if any Member should accept of any Pension, &c. without signifying the same as aforesaid, He should be deem'd guilty of *wilful and corrupt Perjury*, and be incapable of taking, holding, or enjoying any Office. As also, That whoever should refuse or neglect taking this Oath, should lose his Seat, without any other Conviction or Proceeding, and should, over and above, forfeit 30*l.* a Day for each Day, he should sit and vote as aforesaid, &c.

† *N. B.* The Entries of *Brandies* from thence were increas'd from 600 Tons, in the Year 1727, to above 1600 in the Year 1729; and the Entries of *Cambricks* from 18,500 Half-pieces to above 31,000 Half-pieces; and 160 Sail of Ships, from 30 to 60 Tons, were enter'd at the Custom-house from this Port in the Three Years from 1727 to 1729.

which

which became, by every Day's Delay, greater and harder to cure. They got, therefore, such Evidence of *particular Facts*, as they judged sufficient; and they concealed their Enquiries with all the Care they could, lest the Witnesses might be prevented, by *Power* or *Artifice*, from appearing; or when they did appear, from speaking as plainly and fully in *public*, as they had done in *private*. This Precaution, which is, or ought always to be taken in Cases of this Kind, was surely as necessary as ever, on the Occasion we speak of; and the Complaints, which have been made of it, are indeed below Animadversion.

When, in Consequence of these Measures, it was moved in the *Committee of the Whole House*, that some Persons, attending at the Door, should be called in, to give an Account of the Condition of the Port and Harbour of *Dunkirk* \* \* \* \* \* attempted at first to hinder this Motion from passing; but the Sense and Inclination of the *Committee* running strongly against him, this Attempt failed of Success.

The *Witnesses* were called in; and they gave clear and distinct Accounts to the following Effect:

That the Port and Harbour of *Dunkirk*, which had been demolished in pursuance of the  
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the Treaty of *Utrecht*, so that the smallest Fishing-Boat could not go in to them a few Years ago, are now made capable of receiving great Numbers of Ships of considerable Burthen.—That from *sixty* to *eighty Vessels* are frequently to be seen there at a Time; and that the Port is capable of containing more than One Hundred and Fifty.—That, in order to make it so, the Sluice of *Furnes* has been re-established, and the Piles of the *Damme*, raised at the Time of the Demolition across the Entrance of the Harbour, have been pulled up.—That several Works, in which the Soldiers as well as other Persons were employ'd, have been carried on from Time to Time, for cleansing the Harbour; for hindring the Mud and Sand from coming in to it; for repairing the *Jetties*; for preventing the Tides from flowing across the Channel, and thereby keeping it choaked up; for making *Keys* where Goods are loaded and unloaded as commodiously as before the Demolition, and for procuring to this Port many other Conveniencies of Trade and Navigation.—That an *English-built Ship*, which trades from *Dunkirk* to *St. Domingo*, was actually in the Harbour lying at the Keys, besides several *Dutch* and other Ships, which trade to the *West-Indies*—That Ships of Force  
had

had been built and launch'd there lately, and one particularly in *January* last, which sailed out of the Harbour with *Twenty-four Guns mounted*, and is able to carry *Thirty-six*—In a Word, that some of the many Works which have been made for restoring the Harbour of *Dunkirk*, are already put into as good a Condition as ever; That the Trade of the Town is by these Means very much encreas'd within these two Years; and that the Pilots, who lie upon the Coast, refuse to carry Vessels any longer into the Canal of *Mardyke*, having Orders not to do it.—That the Canal of *Mardyke* is brought so near to the great Sluice, that by removing a small Quantity of Earth more, the whole Body of Water, which is at present carried into that Canal from those of *Berg* and the *Moere*, may be carried into the old Basin, and into that Part of the Harbour, where the Men of War formerly lay—Upon the whole Matter, That the Port of *Dunkirk* may now very soon, and at no great further Expence, be render'd as good, and perhaps better than it was before the Destruction of it, in all respects; except as to the *Fortifications*.—The *Witnesses* added, That these Works, which had been carried on, at first, with some kind of Privacy, were afterwards

wards continued without Disguise, and since last *August* with more Vigour than before; nay, that they were actually carrying on, notwithstanding the Badness of the Season, in *January* and *February* last.

The Witnesses, who proved these Facts, were *Masters of Vessels* and *others*, who make frequent Voyages to *Dunkirk*, and who spoke to nothing but what they had had frequent Occasions of observing; so that their Evidence was, upon a very *strict*, to use no harsher a Word, *Cross-Examination*, confirm'd in every Part, and supported in the strongest Manner.

As clear as it was, and as unquestionable as the Truth of it appeared to be, Reasons were urged why no *Resolutions* should be, at that Time, taken upon it. The Chief of these Reasons were, that Col. *Armstrong* had been lately sent to *France*; that his Presence would be necessary in a further Examination of this Matter; and that a Time ought therefore to be allow'd, in which he might be able to return; that several *Papers* would likewise be call'd for, to shew what had been lately transacted, and what Care the *Ministers* had taken about this Affair; and that the getting these *Papers* ready for the House would require Time also. These Reasons were acquiesced in,

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in, tho' it was not hard to foresee what might be effected by *Delay*.

The *Committee* was adjourn'd; *Papers* were call'd for; the *Committee* was again put off on the same Pretences for a Fort-night; several *Papers* were brought; and, the Day before it was fit again, there were communicated to the House, by his Majesty's Command, Copies of a \* *Letter from the D. of N. to Mr. † Pointz*; of an Answer from Mr. *Pointz*; and of the following *Order* obtain'd from the *Court of France*.

By the KING.

“ THE *Sieur* — Capt. of his Majesty's Ships, is order'd to repair immediately to the Port of *Dunkirk*, there to draw up an exact State of the present Condition of the Channel and Port of the said Town, and to make his Report thereof. His Majesty enjoins the said *Sieur* to cause to be demolish'd all the Works that may have been erected in Contravention to the Treaty of *Utrecht* and of the *Hague*, Copy whereof He will find hereunto annexed. His Majesty

\* The *Duke's* Letter to *Pointz* and *Armstrong* was dated February the 12th, 1729-30.

† *Pointz* and *Armstrong's* Letter to the *Duke* was from Paris  $\frac{1}{2}$ th February, 1729-30.

“ com-

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“ commands and orders the Governor,  
“ Commandant of the Place, the Inten-  
“ dants, Engineers, and all other his Offi-  
“ cers and Subjects to give all the necessary  
“ Assistance in the Execution of the pre-  
“ sent Order, in Case of Need. Done at  
“ *Versailles* the 27th of February, 1730.  
“ Sign'd *Lewis*, and underneath *Phely-*  
“ *peaux*.”

Our *Ministers* seem'd to applaud themselves very much on the Success of their last Application to the *French* Court; and it was talk'd of, in a triumphant Stile, as if there remain'd no Pretence for proceeding to any further Examination of the present State of *Dunkirk*. But surely this was unreasonable on all Accounts; since, if there was any Merit in obtaining this *Piece of Paper* from *France*, the Merit belong'd to those worthy *Gentlemen*, who brought this Affair before the *House of Commons*, and in no sort to the *Ministers*. Besides which, even upon the Supposition that *France* had now given us full Satisfaction, and a full Security that *Dunkirk* should be once more demolish'd, according to the Terms of the *Treaties* of *Utrecht* and the *Hague*, it was still proper and necessary too that the *Committee* should proceed; because it was proper and necessary to discover how it had come  
to

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to pass that the Harbour of *Dunkirk* had been, for so long a Time, repairing without any effectual Opposition on our Parts. No honest Man, who is acquainted with the Constitution of Parliament, and who knows what the Proceedings of the *House of Commons* have been in the best Times, will contradict me in this. Permit me to add, that the Facility and Expedition, with which the *French* consented, upon this Occasion, to their last Order, administer'd more than ordinary Cause to suspect, that they had never been pressed much upon this Head before.

When the House came again into the Committee of the State of the Nation, they had before them, besides the two Letters of our Ministers and the Answer just procured from *France*, several of the Papers, which had been call'd for, and the Evidence of some fresh Witnesses produced by those Gentlemen, who had produced the former.

I say several of the Papers which had been call'd for; because, altho' the Papers call'd for by \* \* \* \* were all brought in; yet of those, which had been call'd for by others, some were kept back, under a Pretence that they could not be found in the Offices; and others, it was said, would require a great deal of Time to copy.

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The Papers call'd for by \* \* \* \* and deliver'd in, were generally *Extracts* of Letters; So that, if one were to suppose an Intention to conceal any Circumstances from the Knowledge of the *House*, this Method would give a sufficient Opportunity of doing it; notwithstanding which, these very Papers, imperfect as they were, confirm'd and strengthened all the Evidence given at the Bar.

But however clear the Evidence was, however notorious the Facts, however deeply both the Honour and Interest of the Nation were concern'd in the Event of the Debate, *Dunkirk* continued to be a Port, our Minister preserv'd his Ascendancy in the Cabinet, and the Two Courts of *St. James's* and *Versailles*, remain'd, for a while longer, as closely united, as before.

May 15, His Majesty clos'd the Session with a most gracious Speech, in which, besides the usual Acknowledgments, for the usual Supplies, &c. are to be found the following remarkable Paragraphs.

*My Lords and Gentlemen,*

"I am very glad, that, for the general Satisfaction, you enter'd into a particular Consideration of the *State of the Nation*; and it is a great Happiness to see, after so

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many

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many *unjust* and *unreasonable Clamours*, raised with all possible Art, Industry, and Malice, that, upon mature Deliberation, and the most solem Debates, you were so far from finding *any Thing* worthy of *Blame* or *Censure*, that *all Matters* which came under your *Consideration*, met with your *Approbation*.

This must give all Mankind a *just* Detestation of those *Incendiaries*, who, from a Spirit of Envy and Discontent, continually labour, by *scandalous Libels*, to alienate the Affections of my People, and to fill their Minds with *groundless* Jealousies and unjust Complaints, in Dishonour of me and my Government, and in Defiance of the *Sense* of *both Houses* of Parliament.

But I must rely upon your Prudence, and your Concern for the Peace and Happiness of your Country, to *discountenance* all such *seditious Practices*, and to make my People sensible, that these wicked Proceedings can have no other View or End, but to create *Confusion* and *Distraction* among us."

Nothing very material happen'd during the *Recess*: Affairs continued in a doubtful Situation between Peace and War, as they had continued for several Years past, till the Parliament was on the Point of meeting

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meeting again: About which Time a \* private Negotiation at *Vienna*, between *Great Britain* and the *Emperor*, began to get Air, and was first hinted to the Public, in the famous *Hague Letter* printed in the *Craftsman*, which was afterwards sentenced as a *Libel*. But of this Negotiation more anon.

Jan. 21, His Majesty open'd the Fourth Session of his First Parlia-<sup>1730 31.</sup> ment with a gracious Speech, signifying, "That the Treaty of *Seville* had defeated the Treaty of *VIENNA*: That the Allies of *Hanover* were *strengthened* with the additional Power of *SPAIN*; That this Situation of Affairs gave us a reasonable Prospect of a general Pacification, &c. But that the

\* It may be necessary to remind the Reader, That the 4th Article of the *Hanover* Treaty is conceiv'd in the following Terms:

"And as the said *three most serene Kings* are resolved to bind more and more closely the strict Union, that subsists amongst Them, by all possible Tokens of *good Faith* and *mutual Confidence*, They have reciprocally agreed, not only to enter into no *Treaty, Alliance, or Engagement* whatever, which may, in any Manner whatever, be *contrary to the Interests of each other*; but even faithfully to *COMMUNICATE to each other the Proposals, that may be made to Them*, and not to take, upon what may be proposed, *ANY Resolution*, otherwise than in *Concert together*, and after a *joint Examination* of what may conduce to their *common Interests*, and be proper for maintaining the *Balance of Europe*, which is so necessary to be preserved for the Good of the *general Peace*."



Treaty of *Seville* lays an indispenfible Obligation upon all the contracting Parties to prepare for the Execution of it; and that we *must* be in a Readinefs to perform our Parts, &c. That He was incapable of attempting to influence our Proceedings by groundlefs Fears and Apprehenfions, and as incapable of amufing us with vain Hopes and Expectations: But that as the Tranfactions now depending in the feveral Courts of *Europe* were upon the Point of being determin'd, the great Event of Peace and War may be very much affected by our firft Refolutions, &c. That the Plan of Operations for the Execution of the Treaty of *Seville*, by Force, in *case* we fhall be driven to that *Necessity*, was then under Confideration; and, that, until the Proportions of the Confederate Forces; and the proper Difpofitions for employing them, fhall be finally adjusted and agreed upon, it would not be eafy to determine how FAR the Expences neceffary for the Service of the enfuing Year *might*, or *might* not, EXCEED the Provisions made for the Service of the laft Year, &c."

Thus we have the higheft Authority, that Defigns had been entertain'd to reduce the *Emperor* by Force, (or at leaft, that we were to be led into that Belief.) But Meafures of this Kind appear'd fo irreconcilable

to the ancient Policy of this Kingdom, that the Gentlemen then in the Oppofition, immediately took the Alarm, and endeavour'd to temper the Overflowings of the Address of Thanks, with a wholefome Caution, 'That his Majesty would take Care that no War fhould be carry'd on in *Flanders*, or upon the *Rhine*,' alledging, among other Things, "That the preventing a War either in *Flanders*, or upon the *Rhine*, in Conjunction with the *French*, could tend to nothing but the Ruin of that Balance of Power in *Europe*, which with Difficulty we had at laft eftablifhed, after a ten Years bloody and expenfive War: That in the prefent Conjunction of the Affairs of *Europe*, the Balance of *Europe*, by our being beaten, might fuffer, by our being victorious, it would be entirely deftroy'd, and loft, perhaps, for ever.

But neither thefe Reasonings, nor the Caution above-mention'd proving palatable to the Majority, another Amendment was offered to the Address, *viz.* "That they " would fupport his Majesty's Engagements, " fo far as they related to the *Interest* of " *Great Britain*;" tho' with no better Succefs than the former: Thofe in Power would hear of no Reftrictions; his Majesty was to be complimented thro' thick and thin, and it was done accordingly.

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Upon the same Principles, that the Address of Thanks was carry'd in this outrageously-loyal Manner, the Estimate for the Army and the Navy, the Subsidies for the Landgrave of *Hesse*, and his Highness of *Woljenbuttel* were carry'd likewise. The Necessity of *compelling the EMPEROR to come in*, was the grand Pretence for every Demand, and the grand Silencer of all Opposition.

It appear'd, however, not a little extraordinary to those without Doors at least, that, in the very same *Session*, when his Majesty, in his Speech from the *Throne*, had declared, That the *Allies of Hannover* were *strengthened* with the additional Power of *Spain*, the Merchants of *Great Britain* should complain to their Representatives of the *Depredations* which the *Spaniards* still \* *continued* to commit upon the Trade and Navigation of this Kingdom.

An Address in † *general Terms*, was voted and presented in their Behalf, and a gra-

\* They had preferred the like Complaints in 1728-29, which extorted an Address to the Throne in their Favour; to which his Majesty was pleas'd to answer, *That he would use his best Endeavours to answer the Desires and Expectations of his People, upon an Affair of such Importance.*

† The following Words having been offer'd by way of Amendment, *viz. And to procure a full, prompt, and speedy Satisfaction*, it was carry'd in the Negative, by 207 against 135.  
cious

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acious Answer in Terms *as general* was return'd by his Majesty; of what Significancy we shall see by and by.

This, however, appears to be the only Favour which was granted to the Subject, during this whole Session, except the Bill directing all Law Proceedings to be made for the future in *English*, should be thought worthy of that Name.

It is true, the *Pension-Bill* was likewise pass'd by the Commons; but then it was rejected by the Lords: And when a Motion was made by Mr. *Sandys*, for a Committee to enquire, whether any Member had directly or indirectly any Pension or Office, holden in *Trust* for them, it was carry'd in the Negative by 206 against 143. As was another, *To prevent the \* Translation of Bishops*; and likewise a Third, for an Address, 'That his Majesty would be graciously pleased, for the Ease of his Subjects of this Kingdom, to give Orders for the Discharging the 12000 *Hessians* in the Pay of *Great Britain*.

May 7, His Majesty put an End to the Session, with a gracious Speech, signifying, That he had made up with the Emperor,

\* One of those Right Reverend \*\*\*\*\* had just before publicly pleaded for the *Dependency* of Parliaments.

‘ upon such Conditions and Engage-  
 ‘ ments as are agreeable to that necessary  
 ‘ Concern, which this Nation must always  
 ‘ have for the Security and Preservation of  
 ‘ the *Balance* of Power in *Europe*, &c.

His Majesty, likewise, bestow’d some Ex-  
 pressions of Acknowledgment to the Com-  
 mons for their *effectual Supplies*, *remark-*  
*able Dispatch*, *Unanimity*, &c. put in a far-  
 ther Caveat about a *Spirit of Discontent*,  
*unjust Clamours*, *Misrepresentations*, &c. ad-  
 ding, ‘ All malicious Insinuations to the  
 ‘ Prejudice of my Measures, must surely  
 ‘ vanish, when it shall appear that my  
 ‘ FIRST and PRINCIPAL CARE has been  
 ‘ for the *Interest* and *Honour* of this King-  
 ‘ dom.’

We have already seen, that, by the very  
 same Bargain which we had struck, to pur-  
 chase the *additional Strength* of *Spain* to the  
*Allies* of *Hanover*, we provok’d the Indig-  
 nation of the Emperor: And to pacify him  
 again, we were forced to accept of the *Prag-*  
*matic Sanction*, which we had formerly re-  
 fus’d to treat about; and had, on all Oc-  
 casions, spoken of as as a Measure dange-  
 rous, if not fatal to the *Balance* of *Europe*.

It was upon that Condition, we had  
 patch’d up our Quarrel with his *Imperial*  
 Majesty. But even this was not submitted  
 to,

to, till the Demands of *Hanover* had been  
*first* adjusted, \* Positive Orders, as ’tis af-  
 firm’d, having been sent to the *English*  
 Minister, NOT to sign the *English* Treaty,  
 till the *Hanover* Minister at *Vienna* declar’d  
 himself satisfy’d.

The Settlement of the Tranquility of  
 the NORTH was the great Point in View:  
 And to this End, the Investitures of *Bremen*,  
*Verden*, and *Saxe-Lauenberg* were granted.  
*Hanover* consented to evacuate *Mecklen-*  
*burgh*, and to give up all its Claims upon  
 that Duchy: In return for which, *To pre-*  
*serve the Peace* of LOWER-SAXONY, and  
 put an End to the CAUSE of Troubles in  
 the *North*, the Emperor and *Russia* guaran-  
 ty’d *Sleswick*, May 26, 1731, to the King  
 of *Denmark*, on Condition, that one Mil-  
 lion of Rix-Dollars was pay’d to the Duke  
 of *Holstein*, as an Equivalent.

And all these great Ends were obtain’d  
 by, and depended upon *England’s* guaran-  
 tying the *Pragmatic Sanction*.

It hath been already hinted, That this  
 whole Affair was transacted without the  
 Participation of *France* or *Spain*, tho’

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\* See the FARTHER VINDICATION of the Case of the  
 HANOVER Troops.

against an express Provision in the Treaty of *Hanover* before quoted: And it is farther remarkable, That tho' the States-General were included in the Treaty between the *Emperor* and *Great Britain*, not one of these Powers is mention'd in it; which seem'd to be somewhat extraordinary as to *Spain*, at least, since the Introduction of *Spanish* Garrisons into *Italy*, with the *Emperor's* Consent, made one of the principal Stipulations of this *new Treaty*; nay, what is still more surprizing, it was with extreme Difficulty that the Court of *Madrid* was brought into it at last; and even then not without insisting on several Alterations in the *Act of Approbation*; one of which, was, That the Introduction of *Don Carlos* with 6000 *Spanish* Troops into *Italy*, should be effectuated PREVIOUSLY to the Execution of any Engagements on their Part; however, They might stand PRIOR in the Treaty of *Seville*; which, by the Way, was concluded above a *Year and an half* before. The *Dutch* were still more backward in their Accession, and did not accede at last without some \* *wise Restrictions*. As for the Court of *France*, They

\* *Rouffes*, Tom. ii. p. 343. 4to. Edit.

were

were so far from listening to any Sollicitations on this Head, that they exerted their utmost Endeavours to prevent the Concurrence of *Spain*. Nay, They express'd such a Resentment both against the *Treaty* itself, and the *Manner* of negotiating it, that We apprehended nothing less than an *Invasion* from *Dunkirk*, where some Troops were assembled. This struck us, all on a sudden, with such a Terror, that the Coasts of *Kent* were immediately cover'd with Regiments of Horse, Foot, and Dragoons, who were order'd to march thither, with the utmost Precipitation, from all Parts of the Kingdom; and the Fluctuation, which such an Alarm naturally occasioned in our *Stocks*, afforded the Caterpillars of the *Alley* a plentiful Harvest.

However, these Apprehensions being soon dissipated, Sir *Charles Wager* was again dispatch'd to the Coasts of *Spain* with a large Squadron of *English* Ships, in order to wait upon *Don Carlos* and the *Spanish* Troops to his new Dominions. The *Admiral's* Ship was fitted out in a most splendid and costly Manner, for the Reception of his *serene Highness*; but after a Course of pompous Compliments and Visits between the *Commander of the Spanish Fleet* and our *Admiral*, upon his Arrival at *Cadiz*,  
and

and the same Honours having been afterwards paid him at the Court of *Seville*, his *Catholick Majesty* was pleased to discharge Him from the Trouble of taking *Don Carlos* under his Care, and required no more at his Hands than to convoy the *Spanish Troops* to *Italy*, in Conjunction with his own *Admiral*.

As we were labouring thus earnestly and effectually for the Service of *Spain*, it was but natural to expect, that *Spain* would have been induc'd in Return, to make some Concessions to us.

However, ineffectually, our suffering Merchants had both Times apply'd to Parliament, our Ministers became sensible that something should be done; and therefore, they propos'd \* that a Convention should be made with *Spain* concerning these Grievances.

Our Minister at the Court of *Spain* accordingly presented a Project of a Declaration to *Monf. Patinbo* †: But finding that he objected to one Part of it, that prohibited *Spain* from authorizing their Officers in the *Indies* to give Commissions for *Guarda Costa's*, our supple Minister immediately submits, and very readily presents him with another Project, which, in his Opinion, we are told, is entirely agreeable to our Trea-

\* D. of N. Lett. Aug. 3, 1731.

† Mr. K. Lett. Oct. 27. Nov. 24, 1731.

ties,

ties, and to the Orders that have been sent to the *West Indies*. This last Project *Mr. Patinbo* said would pass with some few Alterations in the Expressions, and the *Marquis de la Paz* likewise approved of it; what it produced we shall see presently.

At this Time our Ministers inform *Mr. Keene*, † “That, far from the Disorders ceasing, the Number of *Spanish Privateers*, or rather Pirates, under the Denomination of *Guarda Costa's*, encreases daily; and that the Gain which the *Spanish* Governors in *America* make by countenancing these unlawful Practices, and sometimes being themselves Sharers in the fitting out of those Privateers, is such a Temptation, that unless the Court of *Spain* takes some more effectual Method, as by punishing those who have most notoriously offended that Way, and making them answerable for the Disorders and Irregularities committed by Ships to which they grant Commissions, or which are harboured in their Ports with Impunity, there will never be an End of their unjustifiable, and, as it too frequently happens, barbarous Practices.” And about a Month after || they order him, “to observe to the *Spanish* Ministers, that a Ship's having been employed in an unlawful Trade, is a Pre-

† D. of N. Lett. Nov. 18, 1731.

|| D. of N. Lett. Dec. 9, 1731.

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tence that will always be alledged. He is to put them in mind of the undue and indeed barbarous Methods used by the Captors to procure pretended Proofs of such unlawful Trade, as the putting *clandestinely* Spanish Money or Goods on board, and the cajoling some of the Crew, and even using Threats and Torture to make them give *false Evidence* against their Captains and Owners;” and he is to insist, “That such Practices may be prevented and punished; and where it plainly appears upon the State of the Case, that there is no Colour for this Allegation of unlawful Commerce, the Order may be positive for immediate Restitution.”

I have quoted the *very Words* of these Letters, lest I should be accused by those unacquainted with the History of the late Administration, of charging our Ministers with Negligence too gross for any Men who undertake the Conduct of the Affairs of a Nation.

In *January 1732*, a Month after the last of these Letters, Mr. \* *Keene* tells us, that he talked *in the most serious* Manner to Monsieur *Patinbo*: And surely when the Ruin of our Merchants had made him serious too, we had Reason to hope for some Effect from his Negotiations. He shewed Mont.

\* Mr. K. Lett. Jan. 27, 1732.

*Patinbo,*

*Patinbo*, “That the stale Excuse of not having *Autos*, or the *clogging* Clause, if there has been no unlawful Commerce, were so many Evasions from doing us Justice, and this last was *dictating Chicanes* to those whose Interest in the Prizes made such an Encouragement unnecessary.”

Upon this *serious* and true Representation, Monsieur *Patinbo* proposed to give a general *Cedula* that should order immediate Satisfaction for our Complaints, and that the *Spanish* Governors should give Testimonies of all that passed. And accordingly he gave a *Cedula*, containing, says Mr. *Keene*, “stronger and more effectual Orders than I have yet been able to procure. But I cannot get rid of the *clogging* Clause, the Exemption of which they say would give a Handle to the Governors themselves to follow their Inclination to follow a contraband Trade.”

What strong and effectual Orders Mr. *Keene* obtained by his *serious* Conversation, will appear by the *Cedula* itself. But why he appears so exalted with it, notwithstanding the *clogging* Clause it contained, which, to use his own Words, “was *dictating Chicanes* to those whose Interest in the Prizes made such an Encouragement unnecessary,” can only be guessed at by comparing the  
Date

Date of his Letter, with the usual Time of the meeting of the Parliament in *England*.

The *Cedula* is from the King of *Spain* to his Governors † in *America*. He commands them not to suffer any of his Subjects to molest or *abuse* the *English*, or any of their Ships that shall sail in these Seas, *so long as they keep in their proper Distances, and are not concerned in any illicit Trade.* This the *Spaniards* graciously *proposed*, and our Ministers joyfully accepted.

However, the *Convention* which I have already observed, was proposed by our Ministers to remedy all these Grievances, was soon afterwards concluded. It is called a Declaration, and was signed the 8th of *February* 1732, by the *British* and *Spanish* Ministers at *Seville*. By this Declaration it is agreed, "That whenever any *Spanish* Privateers shall have Leave to fit out for Sea, in order to prevent contraband Trade, pursuant to the Laws and Ordinances of the *Indies*, which have not been derogated from by the Treaties, they shall be obliged to give Security, in the Presence of the Governor of the Place from whence they shall sail, to be answerable for any Damages they

† *January* 10. 1732.

may

may unjustly occasion; and in Default of sufficient Security, the Governors themselves shall be answerable for whatever may happen.' And his *Britannic* Majesty promises to 'forbid; and effectually to prevent, his Ships of War from conveying or protecting, under any Pretence whatsoever, Ships carrying on an unlawful Trade on the Coasts of his *Catholic* Majesty.'

While our Public Affairs were in this Situation, his Majesty open'd <sup>1731-32.</sup> the *Fifth* \* Session, with a gracious Speech, in which, after expatiating upon the many Difficulties which he had to surmount, before he could conclude the late Treaty of *Vienna*, and the Calamities which that Treaty had prevented, he proceed as follows. 'When this shall be duly consider'd, and it shall be seen, That the Wounds, which have been *long bleeding*, are ENTIRELY HEAL'D, *groundless* Jealousies will cease, ill Humours will subside, and Peace and good Harmony return together, &c.'

\* It ought to be remember'd, That, during the preceding Summer, his Majesty, with his *own Hand*, struck the Name of *William Pultney*, Esq; out of the Council-Books, and order'd him to be put out of all Commissions of the Peace, and of the Lieutenancy; which was likewise set forth in the *London Gazette*, July 1.

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In acknowledgment of these and the like gracious Expressions, the Lord *Hervey* mov'd for an Address, 'full of the *highest Satisfaction*, in seeing the general Tranquility of *Europe* restor'd, and establish'd 'by his Majesty's Credit and *Influence*, with 'so much *Glory* to the Crown of *Great Britain* and *Honour* to this Nation, &c.'

But many Members appear'd to be of a different Opinion from his Lordship. Mr. *Shippen* in particular, declar'd himself to be so little of a Courtier, That he could not return Thanks for what he knew nothing of, nor applaud without a Reason; and Mr. *Pulteney* express'd himself as follows: "Supposing that all is now right with us, I am certain there was a Time some Years ago, when we might have been as Right as we are now, and upon the same Conditions: If we had embraced that Opportunity, a great deal of Money would have been sav'd to the Nation, but in those Days, the Guaranty of the *Pragmatic Sanction*, was looked on as inconsistent with the Interest and Happiness of this Nation, and was represented as such, even by those who have now agreed to it; what were their Reasons for representing it in such a hideous Shape at that Time, and for placing it now in so amiable a View, I cannot

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cannot comprehend: For my own Part, Sir, I do not see any *Necessity* we were under of agreeing to it, even at this present Time; by our agreeing to that Guaranty, we lay ourselves under an Obligation of assisting the *Austrian* Family whenever they shall be attacked by any Potentate whatever, except the *Grand Signior*: They may happen to be attacked, when it will be much AGAINST the Interest of this Nation, to engage itself in a War upon ANY FOREIGN ACCOUNT; and if they should acquire many more Territories, it may be for the Interest of the Nation even to join in the Attack, in Order to preserve the Balance of *Europe*, the Establishing of which has already cost us such immense Sums of Money. Thus we may be obliged either to engage in a War contrary to the Interest and Well being of our Country, or otherwise be guilty of a Breach of Faith, to the eternal Dishonour of the Nation.'

The whole Debate was long, vehement, and, like all others of the same Tendency, fruitless; for in the End, *Honour* and *Glory* carry it, even without a Division.

But tho' the Establishment of the Tranquility of *Europe*, was allow'd so much Weight in the Decision of this Question,



to the Advantage of the Court, we shall find it was but a Feather in the Scale of the People.

*Jan.* 26. The House went into the usual Committee upon the Army, when the Secretary at War (Sir *William Strickland*) mov'd, That the Number of effective Men for the Year 1732 might be 17,709, Officers included.

This was warmly and vigorously oppos'd by many Members, and in particular Sir *William Wyndham* observ'd, "That his Majesty had assur'd them from the Throne, That the Expectations he had given us from Time to Time of seeing the general Tranquillity of *Europe* restored and established, are fully answer'd. What then," continued he, "have we more to expect? Do we hope ever to see a Time when all the Powers of *Europe* will be even to outward Appearance so fully satisfied and pleas'd, that no Jealousies nor private Animosities do seem to remain? The Hope is vain; the Thing is impossible; for those very Measures which make one easy, will always give some Appearance of Disquiet to another; besides, the Ambition of Princes is such, that no general Satisfaction can be expected, nor can a profound Tranquillity be hoped for to remain for any Time without some

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Disturbance. Either now is a proper Time for us to reduce a Part of our Army, or such a Time will never happen, and this Nation must always be oblig'd to be at the Expence of maintaining a numerous Regular Army, and lie expos'd to have its Liberties and Privileges trampled upon by the Means of that Army, whenever we shall have a King weak or ambitious enough, or a Ministry wicked enough to engage in such Measures."

"A much less Number than we have at present, have been found sufficient to guard us both against Invasions from abroad, and Insurrections at home, even in the Time of open War: During the whole Course of the long Wars we had in the Reigns both of King *William* and Queen *Anne*, a Body of 6 or 7000 Men was thought all that was requisite to be kept in this Nation, for guarding us against all the Attempts of our Enemies, Foreign or Domestic; and this small Body of Men, with the Affections of the People, appeared to be so sufficient for the Purpose designed, that the United Powers of *France* and *Spain* never durst venture to make an Invasion upon us; nay, they never so much as attempted it but once, and then they did it in such a faint Manner, as shewed they were afraid of

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the Success of what they were going about; Yet every one knows what an Advantage it would have then been to the *French Cause*, if they could have made a Diversion by landing a Body of Troops in this Island."

"I join with the worthy Member who spoke last, in Opinion, That the Affections of the People ought to be measured by the Affections of their Representatives in Parliament; it has always been so hitherto; the Subjects, when they suspected that the Crown was making any Encroachments upon their Liberties, always pleased themselves with the Thoughts that they would find a sure Redress from their *Representatives* assembled in Parliament; upon them they always depend for a certain Remedy for all their real or even imaginary Wrongs; but if this House shall thus from Year to Year agree to the Continuance of a Standing Army, I am afraid this will no longer continue to be a Rule for measuring the Peoples Affections: The People will begin to look upon us, not as their *Representatives*, or as the *Guardians* of their *Liberties*, but as the *insignificant Tools of a Court*, and the *hireling Supporters of an Administration*."

It is needless to add any Thing farther upon this Head. The Committee divided  
upon

upon the Question, and it was carry'd in the Affirmative by 241 against 171.

The next Day, a Motion was made by Mr. *Pulteney*, to address his Majesty for an Account of what Commissions in the Army had been kept vacant, and what Savings had been made therein: But on Sir *R. W's* declaring, That such Savings were insignificant; and that they were disposed of in Charities, by his Majesty, to those in the Army who were proper Objects, it pass'd in the *Negative*.

About this Time a remarkable Enquiry was made in the House of Commons upon the following Occasion: The Estate of *James*, late Earl of *Derwentwater*, who was concerned in the Rebellion in 1715, had been so settled, that upon the Death of his Son *John*, then a Child, without Issue-Male, the Remainder was to devolve upon his younger Brother *Charles Ratcliffe*: But this Brother, *Charles Ratcliffe*, being also engaged in the said Rebellion, had thereby forfeited such his Expectation of that Estate; which was sold, by the Commissioners and Trustees of the forfeited Estates which devolved to the Crown upon that Occasion, for the Sum of 1060 *l.* This Purchase was at that Time not taken Notice of; but the above-mentioned *John*, Earl of *Derwent-*  
F f 4 *water,*

*water*, dying in the 18th Year of his Age, the Estate fell of Course to those who had bought that forfeited Reversion; and being reckoned at the Value of 8 or 9000 *l. per Ann.* it caused great Notice to be taken of the good Fortune of those Purchasers. But some Circumstances also occurring, that bred Suspensions about the Methods used in gaining so great a Bargain, it was thought to deserve the Animadversion of the House of Commons, who appointed a Committee to examine into the Proceedings that passed between the Commissioners and the Purchasers on that Occasion. The Committee accordingly brought in their Report, which shewed there was but too much Ground for those Jealousies; and upon which the House came to the following Resolutions:

Resolved, *Nem. Con.* I. That on the 30th of *July*, 1723, *Matthew White*, Esq; was declared the Purchaser of an Annuity of 200 *l.* during the Life of *Charles Ratcliffe*, issuing out of the Estate of *James* late Earl of *Derwentwater*, with all the Arrears thereof from his Attainder, for 1201 *l. 1 s.* without due Notice of Time or Place for exposing such Annuity to Sale, and without the Presence of a sufficient Number of Commissioners and Trustees, as required by the Act appointing such Commissioners

missioners and Trustees. II. That \* *William Smith*, Esq; did on the 11th Day of *July* 1723, for the Consideration of 1060 *l.* contract for an Estate of *James* late Earl of *Derwentwater*, mentioned, in a Particular, published by the said Commissioners and Trustees, to be of the annual Value of 5013 *l.* subject to the Annuities and Incumbrances in the said Particular mentioned, and to be sold during the Continuance of an Estate in Tail-Mail, vested in *Charles Ratcliffe* in Remainder, Expectant on the Death of *John Ratcliffe* under Age, and without Issue-Male, which Contract was, on the 30th of the same *July*, vacated and torn out of the Book of Contracts, and a new one then procured and dated as on the 11th, by which the said *William Smith* not only obtained the said Remainder in Tail, but also the Reversion in Fee of the said Estate for the same Sum of 1060 *l.* although a sufficient Number of Commissioners and Trustees, as required by Act of Parliament, was not

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\* In Trust for the Es's. And 'tis remarkable that when *Mr. Smith*, attended the Committee, they did not think fit to oblige him to be examin'd; but left it in his own Option, whether He would be examin'd or not; and he chose the Last.

present

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present, either on the 11th or 30th of the said *July*, nor had any Notice been given of exposing to Sale the Reversion in Fee of the said Estate. III. That *Matthew White* and *William Smith*, Esqs; were present on the 30th of the said *July*, when *Samuel Allen*, Secretary to the Commissioners and Trustees, signed the Names of *Sir Thomas Hales* and *Sir John Eyles* to the respective pretended Contracts, made with the said *White* and *Smith* on the said 30th of *July*, when no Commissioner and Trustee, but *Dennis Bond*, Esq; and *John Birch*, Serjeant at Law, were present. IV. That the contracting for the Sale of the aforesaid Estates, by a less Number of the Commissioners and Trustees than Four, and the not giving Fifteen Days Notice at least of such Sales, was a manifest Violation of the Act of Parliament for the Sale of the said Estates, highly injurious to the Public, and a notorious Breach of the Trust reposed in such Commissioners and Trustees: After which Serjeant *Birch* and *Dennis Bond* were expell'd; *Sir J. Eyles* was reprimanded, and the Sale was made void.

During this Session likewise, the famous Affair of the *Charitable Corporation* was brought into Parliament; and furnish'd out a fresh Instance, That Breach of Trust in  
this

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this Country, was held but a venial Fault; and That Frauds and Corruptions of almost any Kind would never want a Skreen.

It is proper to be observ'd, That this Corporation was first erected in the Year 1707; their professed Intention was to lend Money, at legal Interest, to the Poor upon small Pledges; and to Persons of better Rank, upon an answerable Security of Goods; and their Capital was then limited to 30,000 *l.* In the Year 1722, the Crown gave Licence to them to encrease the same to 100,000 *l.* and again, in 1728, they received Licence for a Capital of 300,000 *l.* and, in 1730, for 600,000 *l.* This Charter being granted to the Corporation, they made Application to have the same confirmed by Act of Parliament in the last Session, and a Bill for that Purpose passed the House of Commons; but there was such vigorous Opposition made to it, that it was dropt in the House of Lords. However, upon the Support of the Royal Charter, the Corporation went on; but in *October* 1731, two of their Chief Officers, viz. *George Robinson*, Esq; Member for *Marlow*, their Cashier, and *Mr. John Thompson*, their Warehouse-keeper, disappear'd on the same Day. This gave the Proprietors a very great Alarm; and three  
several

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several General Courts were held, in which a Committee was appointed, from among the chief Proprietors, to inspect the State of their Affairs. By the Report brought in by that Committee it was found, That for a Capital of above 500,000 *l.* no Equivalent was found to the Value of 30,000 *l.* the Remainder having been disposed of, by Ways that no one was able to give Account of.

This Affair was first brought into the House by Petition; and a Motion was thereupon made, That it should be referred to a Committee of Secrecy, which was overruled by 212 against 132.

A Committee, however, was appointed, who presented such a Report of Frauds, Abuses, and Mismanagements, That *George Robinson* the Cashier was first expelled, and afterwards *Sir Robert Sutton* and *Sir Archibald Grant*, two of the Managers of the said Corporation.

Many other Persons, likewise, underwent the Censure of the House; but tho' the Facts were so flagrant, it was not without some Difficulty, that a Resolution was obtain'd, That the Persons who had committed the Injury, *ought to make Satisfaction for the same.*

So

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So unwilling were \* *certain Persons* to suffer any such Thing as a Precedent of *Restitution* to take place.

But we are now to take our Leave of private Iniquities, and return to those which affected the whole Nation.

We have already seen how, and for what Ends, the Duty of *Salt* was taken off; we are now to see under what Pretences it was so soon laid on again.

The Motion for † reviving it was made by the *Minister* himself, in pure Compassion, as he gave out to the *Land-Holders*, oppressed with a *Land Tax*, which had continu'd for above Forty Years without Intermifion; and under which he declared many a Gentleman had been utterly ruin'd and

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\* It ought not to be forgot, that, while this Affair was yet depending, a Letter was directed to the Committee, from one *Signior Belloni*, a Banker at *Rome*, signifying, that *Thompson*, the Corporation Warehouse-Keeper, had been seized (together with his Books and Papers) and confined in the *Castle de St. Angelo*; and offering to surrender the said Books and Papers on certain Conditions; which the House was so far from accepting, that (in Conjunction with the Lords) they voted it to be an insolent and audacious *Libel*, and order'd it to be burnt by the Hands of the Common Hangman, which was accordingly performed.

† This Affair gave rise to two remarkable Pamphlets, one for the Revival of the *Salt Tax*, call'd, *A Letter to a Freeholder*, &c. and the other AGAINST it, call'd, *The Case of the*  
*Reviewers*

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undone.—But he, withal, signify'd, That, how burthensome and ruinous soever, the *Land Tax* was, if this *Salt Duty* was not reviv'd, according to his Motion, the Land must

*Revival of the Salt Duty*; in which Last we meet with the following remarkable Passage:

“ But, it seems, the *Land* hath paid SIXTY-FIVE MILLIONS at least, within these last *forty Years*; and He should have done his *honourable Patron* the Justice to observe, That TWELVE MILLIONS of this Sum have been rais'd under his own Administration, during an uninterrupted Peace for *ten Years*; and that these *twelve Millions* bear the Proportion of near 3 to 4 of the Sum raised during 30 Years *War*; since the short Intervals between scarce deserve the Name of *Peace*. This was an Expence, which nothing could have justify'd, or made tolerable to the Kingdom; but the just Importance of the Cause; the Preservation of our *Religion* and *Liberties*; but I believe few People in the Kingdom now want to be satisfied that both these great Blessings would have been full as safe as they are at present, in case we had not kept up such an unusual Number of *Standing Forces* in time of Peace; sent such Squadrons to the *Baltick*, &c. paid such *Foreign Subsidies*, *Votes of Credit*, &c. and then 'tis demonstrable that not one Shilling of this *twelve Millions* would have been raised on those *Country Gentlemen*, whose Case this *great Patriot* so pathetically laments; which is the most convincing Proof of his *Tenderness* and *Compassion* for them.”

“ If we consider farther that, during the Space of about *eleven Years* past, there hath not, I believe, been a less Sum than *Seventy-three Millions* raised on the People, reckoning the *Annual Supplies*, *Civil List*, *Charges of Management*, *Interest of our Debts*, and the *Sinking Fund*; that as the greatest Part of this Money is mixed with the *Civil-List Revenues*; so it requires, for that Reason, no small Care, and great Integrity to do Justice to the Public, in the due Application of it to the respective Branches, to which the several Duties are appropriated; I say, if we consider all This, it is most certain that

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must continue to suffer as before; adding, That it would appear, from the Determinations of that Day, whether a *Land Tax* of, AT LEAST, *Two Shillings* in the Pound, was to become a PERPETUAL RENT-CHARGE on all the Lands of *England*.

The *Independent* Part of the House were greatly struck at the horrid Prospect, which was thus boldly display'd before them; and bestirr'd themselves upon it with a Vigour and Spirit worthy the Cause, and equal to the Provocation.

They demonstrated, That all Taxes, in the End, fell upon the Land; That this was immediately of more pernicious Consequence to the Land Holder, than the Land Tax it self: That it was greatly detrimental to our Commerce; That it was a heavy Grievance upon many of our Manufactures, and affected ALL: That in order to raise 500,000 *l.* the united Kingdom must pay 776,200 *l.* That tho' it was then to be impos'd but for *Three Years*, Pretences would be found to render it perpetual; That it added 4 or 500

a thorough Examination and Inspection into the *Collection*, *Distribution*, and *Disposition* of this immense Sum, raised in time of *Peace*, would give the greatest Content and highest Satisfaction to the Nation.

“ For we may safely affirm, that it is the *largest Sum*, that ever passed through the Hands of any *one Minister* since the Nation had a Being.”

Officers

Officers to the Legions already under the Influence of the Crown: That the Struggle of that Day was, whether we might ever be freed from *Excises* and the fatal Influence of our Officers over our Elections: And, that the Reasons *against* REVIVING this Duty were much stronger, than those for ABOLISHING it in the Year 1730; for, at that Time, it belong'd to the *Sinking Fund*, and was appropriated to the Payment of our National Debt.

But Arguments, Figures, Facts were all thrown away;—The Genius of the Nation had forsook her Charge, and the Minister prevailed by 225 against 187.

I will mention but Two Events more, which bear witness against this notable Session. The One is, That, notwithstanding the Minister's violent Zeal for the Landed Interest, when a Bill was introduc'd, for explaining the *Qualification Act*, and preventing, as far as possible, the Evasion of it, he procur'd a Clause to be offer'd, and supported it himself, for admitting a MONEYED QUALIFICATION; and not succeeding in his Attempt, the Bill itself was \* thrown out, by

\* It is farther remarkable, That when a Motion was made for a Committee to enquire whether any Member sat in the House contrary to Law, it was over-ruled.

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the *singular Dexterity* of this honourable Gentleman in a very extraordinary Manner.

The other is, That, by a Vote of the Commons of *England*, the *English Nation* was oblig'd to pay 22,694*l.* 7*s.* 6*d.* to make good the Deficiencies of a FRENCH Subsidy to *Denmark*.

June 1. His Majesty put a Period to the Session, with a most gracious Speech, which, over and above the usual Acknowledgments, contain'd a Declaration, That it was his Majesty's Royal Intention to visit his *German* Dominions that Summer, and that he should leave the Queen, Regent during his Absence.

The Negotiations of our Ministers at the Court of *Spain*, was the only foreign Concern in which the People of *England* had the least Interest; we will, therefore, resume and follow that Thread to the Meeting of the next Session.

The Declaration, before-mention'd, was signed in *February* 1732, and in the Demands made by the *Spanish* Commissaries at *Seville* in \* *April* following, they formally insisted, ' That as the *British* Subjects, under Pretence of going to their own Colo-

\* *April* 17, 1732.

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'nies, carry on an unlawful Trade to the  
'Ruin of the Flota's, Galleons, and Regi-  
'ster Ships, their Ships sailing through those  
'Seas shall observe the Course they ought  
'to steer, to avoid Hostilities.' But to this  
Demand we gave no Answer, and they were  
far from requiring any; for, whilst they  
were artfully endeavouring to convert this  
Pretension into a Right, every thing that  
had the Air of Acquiescence afforded Argu-  
ments for their Purpose.

It is now generally known, That the Trea-  
ties made by our Ministers were designed only  
to amuse the Nation; and certain it is, they  
had no other Effect; they determined no  
Dispute, they concluded no Negotiation;  
and the Declaration we have here quoted,  
resembled, in this respect, the rest of *their*  
Treaties. So early as in the Month of *No-*  
*vember* \* following it, we find Mr. Keene  
again applying to the *Spanish* Ministers for  
some Regulations, to prevent the unjust  
Captures of our Ships for the future. A  
new Session approached, a new Treaty  
therefore must be put upon the Anvil, and  
the Negotiation must resound into *Britain*,  
to drown the Cries of the Merchants, and

\* Mr. K. Lett. Nov. 27, 1732.

to deafen the Ears of their Representatives.  
Mr. Keene accordingly acquaints our Mini-  
sters, 'That Monsieur *Patinbo* had owned  
'the Insufficiency of *small* Quantities of  
'*Spanish* Goods to condemn our Ships; but  
'that, however, he had insisted on some-  
'thing more clear and positive, and had  
'proposed to *Mons. Patinbo*, to send for a  
'Cedula issued by the Queen Mother soon  
'after the Treaty of 1670, whereby the  
'*Guarda Costa's* were kept within proper  
'Limits, and prevented from interrupting  
'the lawful Commerce of Nations in Ami-  
'ty with *Spain*; and that they should to-  
'gether, adapt it to the present Circum-  
'stances.' Our Ministers in the Letter of  
*January* 10, 1732-3. part of which has  
been already quoted, tell Mr. Keene, 'That  
'he is not to be discouraged by Difficulties  
'from pushing this Matter as far as he can,  
'and from endeavouring, at least, to get  
'the old Cedula revived, *which he mentions*  
'to have been issued for this Purpose about  
'the Year 1670, if he thinks that would be  
'sufficient;' and they add, 'Unless some-  
'thing of this Kind be done, it will be im-  
'possible to put an End to the Violence  
'and Rapine exercised by the *Guarda Co-*  
'*sta's*.'



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It is very obvious from these Letters, That our Ministers, as well as Mr. Keene, were utterly in the Dark, concerning the Cedula issued about the Year 1670. And it is not easy to determine which was greater, the Absurdity of proposing, and even labouring to obtain a Cedula, of the Contents of which they were totally ignorant, or that Negligence, in what so much concerned the Trade of their Country, from which alone could proceed their Ignorance of this Cedula, which had been transmitted to them by Admiral Stuart, so long before as the Month of April 1732.\* The Cedula is no other than that which was issued by the Queen Mother in 1674, and it is in pursuance of it that every *Spanish Guarda Costa*, in the *Indies*, has been, and is fitted out. But the mean Admissions of our Ministers had already so well adapted it to the present Circumstances, that the *Spanish Governors* had presumed to give to their Corsairs a farther Power to take *all the Embarcations of Strangers*, they should find in or about their Ports and Rivers.

In the same Letter of the 10th of January, we find our Ministers of a sudden

\* Rear Adm. St. Lett. to Mr. Burchet, 28 April 1732.

alarmed

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alarmed with the following Expression in the Cedula, for Restitution of the Ship *Woolball*, *That the Ship was not taken in any suspected Course of Navigation.* This they desire to have explained, 'because it carries an Implication that may prove of dangerous Consequence to the *British Trade in America.*' Could it be credited, if we had not their own Authority for it, That notwithstanding the *Spanish Cedula*, the Demands of their Commissaries, and the Accounts sent home from the *Indies*, our Ministers were TILL THIS TIME, in finding out, what had been the Subject upon which they had negotiated so many Years? Yet so it is. And thus it appears, That to this Time, that is to the Year 1733, the Right of *Great-Britain*, and indeed of Mankind, was never once asserted by our Ministers against the Pretensions of the *Spaniards*; but their Pretensions were, in every Treaty or Act that passed between us, fortified by the unaccountable Policy of our Ministers, as the Depredations made in Consequence of them were suffered, and in some sort allowed by the Instructions, whereby our Men of War were restrained from protecting our Trade, or making Reprisals on the *Spaniards.*

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While our Affairs were in this Situation abroad, the most grievous Apprehensions were entertain'd at home, of a Ministerial Project for introducing, tho' gradually, a *General Excise*; which put the whole Nation into a Flame.

Comparing, therefore, the Temper of the People at the Time of opening the next Session, with what the said Session actually brought forth, it will, perhaps, appear not a little astonishing to Posterity, to find in the very first Paragraph of his Majesty's most gracious \* Speech from the Throne, a Declaration, 'That it was a  
' great Satisfaction to him, that the present  
' Situation of Affairs, both at *home* and  
' *abroad*, made it unnecessary for him to lay  
' before the Two Houses any other Reasons  
' for his calling them together at that Time,  
' but the ORDINARY DISPATCH of the  
' public Business.' Which public Business by the *subsequent* Paragraph appears to be the raising *effectual* Supplies. To which his Majesty was pleased to add a Caution so to raise and distribute the said Supplies, as will most conduce to the PRESENT and *future* EASE of those they represented; and

\* January 16, 1732-3.

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likewise, that they would avoid any unreasonable *Heats* and *Animosities*, &c.

But whatever Posterity may think of this Speech, so satisfactory did it appear to the House, that, upon the Report, a Motion was made for an Address to specify, That they were as well satisfy'd as his Majesty with the present Situation of Affairs, both at *Home* and *Abroad*, and to assure his Majesty, That they would, with all possible Duty, chearfully and effectually raise the necessary Supplies, &c. To which loyal and submissive Expressions, the Gentlemen in the Opposition were *permitted* to add, by way of Amendment, the following Particulars, *viz.* 'By such Means as should be  
' consistent with the Trade, Interest, and  
' Liberty of the Nation, and the Honour  
' and Justice of Parliament.'

Tho' a *Standing Army* had, for so many Years of *profound Peace*, been made a Part of our *happy Establishment*, till this Session, no Man had been hardy enough to declare, That this was one of the Articles which was to be distinguished by the dreadful Word FOREVER.

But the usual Motion having now been made for continuing the same Number of Troops, Mr. *Horatio Walpole* had the Honour to declare, 'That the Number of  
G g 4 ' Troops

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‘ Troops then propos’d, was *absolutely necessary* to support his Majesty’s Government, and WOULD BE NECESSARY, AS LONG as the Nation had the Happiness of having the present illustrious Family on the Throne.’

Upon which Occasion Mr. Rolle took the Liberty to say, ‘ That, to him it appeared, that, in order to preserve ourselves against one, who *might, perhaps*, prove a Tyrant, we were going to establish 18,000 Tyrants, and to make their Establishment, in some measure, a Part of our *Constitution, &c.*’ and concluded thus, ‘ Let us do what our Forefathers us’d to do; *Let us remove the Wicked from before the King, and his Throne shall be established in Righteousness.*’

But this Advice, however wholesome, was, upon a Division of the House, found impracticable, 203 siding with Mr. H. Walpole, and but 136 with Mr. Rolle.

These *necessary Men* to the Throne being thus taken Care of, it was thought expedient, by some Gentlemen, to bestow a Thought upon the People.

Accordingly, a Motion was made for an Address, to know what Satisfaction had been made to the Subjects of *Great Britain* for the Losses they had sustained from the *Spaniards,*

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*Spaniards*, in Virtue of the Treaty of *Seville*; and, by the Minister’s Permission, was carry’d. In answer to which they were told, ‘ That, tho’ the *Commissaries* of both Nations, were, by the said Treaty, appointed to meet *April 2, 1730*, yet, by several unforeseen Accidents, they did not meet till *February 23, 1732, N. S.* That the Two Crowns had therefore, agreed, That the Three Years for finishing their Commission, should be computed from their *first Meeting*, and consequently, it was impracticable for his Majesty to give the proper Orders for laying a perfect Account before the House, of what is requir’d in the Address.’

But, tho’ the *Interest* of our *Merchants* found so little Favour in the Eyes of the *Minister*, he again pay’d his Court to the *Land-Holders*, by affecting a tender Concern for *theirs*.

For when the House was in a Committee, upon the Supply, *Feb. 23*, we find him proposing to apply 500,000 *l.* out of the Surplusses of the *Sinking-Fund*, to the Service of the Year; and declaring, That in Case that should not be agreed to, the Land-Tax, instead of one, must be fix’d at Two Shillings in the Pound; To which Mr. *Pulteney* had the Honour, among other

other Things, to reply in the following Manner, *viz.*

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

‘ The *Sinking-Fund*, that SACRED DEPOSIT for extinguishing the Debts and abolishing

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

Method by which the Landed Gentlemen are to be eased of One Shilling in the Pound Land Tax?

A great many other Gentlemen distinguished themselves, likewise, in this Debate; but to no manner of Purpose, the Motion being carry'd even without a Division.

We are now come to the famous *Excise Scheme*, which, on *March 14*, was brought into the House by the great *Projector*, Sir *R. W.* who, in *his* introductory Speech to render it *palatable*, declared it would be an Improvement to the Revenue of 2 or 300,000 *l. per Ann.* and, perhaps, more. That by this Addition the Nation *might* be relieved from some of those Taxes, which it had labour'd under so many Years: That it would prevent the many notorious Frauds committed in the Revenue: That it would relieve the poor Planters from the Tyranny of their Factors, &c: That however this Scheme had been misrepresented, it was an innocent Scheme, and could be hurtful to none but the *Smugglers* and unfair Traders.

This great Minister was supported in this Debate by his *excellent* Brother *H. Walpole*, Esq; *H. Pelham*, Esq; \* Sir *Philip Yorke*,

\* Then Attorney General, and now Lord Chancellor.

Lord

Lord *Harvey*, Sir *William Yonge*, Mr. *Winnington*, Lord *Glenorchy*, Sir *Thomas Robinson*, and others; and was oppos'd in it by Sir *Paul Methuen*, Mr. *Pulteney*, Sir *William Wyndham*, Sir *Joseph Jekyll*, Sir *John Barnard*, Mr. *Parry*, Mr. *Heatcote*, and several more Gentlemen, who, upon this Occasion, manifested a Spirit worthy of *Englishmen*.

In particular, Sir *John Barnard* desired that the Commissioners of the Customs, who attended at the Door, might be call'd in; which being agreed to, he first ask'd them, What they thought the Value of the Frauds committed in the Tobacco-Trade might amount to one Year with another? Their Answer was, That they had never made any Computation: But one of them said, That, by a Computation he had made only to satisfy his own private Curiosity, he believed the Frauds come to their Knowledge, might amount to 30 or 40,000 *l. per Annum*, one Year with another. Then Sir *John Barnard* ask'd them, Whether it was their Opinion, That if the Officers of the Customs performed their Duty diligently and faithfully, it would not effectually prevent all, or most of the Frauds that could be committed in the Tobacco Trade? To which they answer'd, That it was their Opinion it would. Then he ask'd them farther, Whether

Whether it was their Opinion, That if the Commissioners of the Customs had the same Power over their Officers, as the Commissioners of the Excise have over theirs, it would not contribute a great deal towards making them more faithful in the Discharge of their Duty than they now are? To this their Answer was, That they believed it would.

Thus it appeared, That the Scheme was wholly *unnecessary*; and as to the pernicious Tendency of it, it may not be improper to exemplify it by the Sentiments of the admired Mr. *Pulteney*, as follows:

“ I wish the Gentlemen, who appear so zealous for this Scheme, would have some little Regard to their Constituents. It is well known that it was the Custom among our Ancestors, when any *new Device* was proposed, to desire Time to have a *Conference* with their *Countries*: I am but very little conversant in Books of Law, however I sometimes look into them; and I must beg Leave to read a Passage or two on this Subject, from my Lord *Coke*. That great Lawyer, in the 4th Part of his *Institutes*, p. 14, says, ‘ It is also the Law and Custom of the Parliament, That when any *new Device* is moved on the King’s Behalf, in Parliament, for his Aid, or the like, the  
‘ Com-

‘ Commons may answer, that they tender’d the King’s Estate, and are ready to aid the same, only in this *new Device* they dare not agree without *Conference* with their *Countries*; whereby it appeareth, that such Conference is *warrantable* by the Law and Custom of Parliament.’ And again, p. 34, he tells us, ‘ At the Parliament holden in the 9th of King *Edward III.* when a Motion was made for a Subsidy of a new Kind, the Commons answer’d, that they would have *Conference* with those of their several Countries and Places, who had put them in *Trust*, before they treated of any such Matter.’ If such a Conference was ever necessary upon any Occasion, it is surely necessary before we agree to the Device now offered to us; a Device which, in my Opinion, strikes at the very *Root* of our *Liberties*; it is, in my way of Thinking, a downright Plan for arbitrary Power; and in this I am not singular; for there seems to be many Gentlemen of the same Opinion within Doors as well as without; therefore I must think that it is necessary, it is incumbent upon every Gentleman in this House, at least, to desire to have a *Conference* with his *Constituents*, before he agrees to any such *Device*: This would have been necessary, if we had been  
entirely

entirely ignorant of the Sentiments of our several Countries; but indeed in the present Case, such a Conference seems to be quite unnecessary; we already know the Sentiments of our Constituents in relation to the Device now offered to us; the whole Nation has already, in the most open Manner, declared their Dislike to it; and therefore I hope the Gentlemen of this Committee will reject it with that Scorn and Contempt it deserves”

The Debate lasted with the utmost Vehemence till near Two o’Clock of the Morning, and towards the Close of it, the great *Projector* became so transported with the violent Opposition his darling Scheme had met with, that he had the Rashness to express himself to the following Effect:

“Gentlemen may say what they please of the Multitudes now at our Door, and in all the Avenues leading to this House; they may call them a modest Multitude if they will; but whatever Temper they were in when they came hither, it may be very much alter’d now, after having waited so long at our Door: It may be a very easy Matter for some designing, seditious Person to raise a Tumult and Disorder among them; and when Tumults are once begun, no Man knows where they may end; he is

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a greater Man than any I know in the Nation, that could, with the same Ease, appease them; for this Reason I must think, That it was neither prudent nor regular to use any Methods for bringing such Multitudes to this Place, under any Pretence whatever. Gentlemen may give them what Name they think fit; it may be said that they came hither as humble Supplicants, but I know whom the Law calls STURDY BEGGARS; and those who brought them hither could not be certain, but that they might have behav’d in the same Manner.”

But tho’ this insolent Phrase of STURDY BEGGARS, was warmly resent’d by the Friends of the People, they were not only too weak to procure any proper Resolution to be pass’d thereon; but, likewise, to humble the Minister with one single Negative; tho’ it had been so loudly demanded by the Voice of the whole People: For, upon a Division of the House, it appear’d, That the great *Projector* had the Advantage of his Country, by 266 Voices against 205; on the Strength of which Majority it was that Night Resolv’d, That the Customs hitherto paid upon Tobacco, should be chang’d into an *Inland Duty* (alias EXCISE) of 4 *d.* per Pound, &c.

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Upon the Report however, another furious Debate arose; of which we need say no more, than that the Minister was again victorious by 249 against 189.

A Bill was now order'd in to establish this odious Measure by Law; upon which, the City of *London* found it adviseable to petition the House to be heard by their Council against the said Bill: This, however, being thought too great a Favour, it was over-rul'd by 214 against 197, and the said Petition was order'd to lye upon the Table, The Petitions of *Nottingham* and *Coventry* met with the same Fate.

But tho' these public Indications of the public Discontent, appeared to be so little regarded, the universal Resentment which prevailed every where against this pernicious Measure, for once gave such a Shock to the *Minister's* Firmness, that when it was expected he would have mov'd for the Second Reading of the Bill, he mov'd for postponing it to the 12th of *June* next, which was, in effect, dropping it for good and all.—But, not to indulge his Adversaries with too great a Triumph, when a Motion was made to reject the said Bill, the contrary Measure prevail'd by 118 Voices against 76.

The

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The People were, however, infinitely transported with their Victory, tho' it was not entirely complete: Even to disappoint a favourite Measure of this overgrown Minister, was what they had never been able to compass before:—Their Joy, therefore, on this Occasion, as it was reasonable to expect, ran over; Bells and Bonfires celebrated their Triumph; and as the *Person* of their *Adversary* was not in their Power, they contented themselves with burning him in *Effigy*.

Before we take Leave of this Subject it is necessary to observe, That, the *Frauds* and *Abuses* of the Customs having been made the Plea, by those in Power, for this Extension of the Excise Laws, the opposing Members mov'd for a *Select Committee* of *Twenty one*, to make the necessary Enquiries upon that Head: But tho' this Committee was chosen by Ballot, according to their Desire, so thoroughly was the Minister's Influence established, that his own *List* was carry'd *entire*, and consequently the Motion had not the desir'd Effect.

It is farther observable, That when the *Retailers* of *Coffee* and *Tea*, taking the Advantage of the yet glowing Indignation of the People against *Excises*, petition'd the House for Relief against the Act, which

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turn'd



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turn'd the *Customs* upon those Commodities into an *Inland Duty*, and a Motion was made for referring the said Petition to a Committee of the whole House, it pass'd in the Negative by 250 against 150.

As did likewise another Motion for the *South Sea Directors* to lay before the House an \* Account of what Sums of Money, &c. had

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\* The Nature and Tendency of this Motion may be understood from the following Articles, which are taken from a Protest made upon a simular Occasion in the other House.

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

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had been received on the Estates of the *late South Sea Directors*.

And a Third for a Clause in the *Land Tax*, to empower the Commissioners of the respective Counties to nominate their *Receivers*.

But a Bill for raising 500,000 *l.* by Lottery, for the Relief of the Sufferers in the *Charitable Corporation* had better Luck; whereby the Follies of the *Many* were tax'd to make good the *Frauds* committed by a *Few*.

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

Because we think it highly expedient at this Time, to vindicate the Public Faith of the Nation, lest Foreigners should be induced, by the *many Instances* of Fraud and Corruption, which have been of late discover'd in other Corporations, suddenly to withdraw their Effects out of our Funds, and thereby totally destroy public Credit, and plunge us into inextricable Difficulties.

Because the Arts made Use of to divert us from our Duty, and defeat this Enquiry, give us Reasons to prosecute it with fresh Vigour; for *Impunity of Guilt* (if any such there be) is the strongest Encouragement to the *Repetition* of the *same Practices* in future Times, by chalking out a *safe Method* of committing the most *flagitious Frauds*, under the *Protection* of some *corrupt* and all-screening Minister.”

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And,

And, June 11, his Majesty put a Period to the Session with a gracious Speech; in which he declares, 'That he never demanded any Supplies of his People but what were *absolutely necessary* for the Honour, Safety and Defence of himself and his Kingdom.' To which he was pleas'd to add, 'I cannot pass by unobserv'd the *wicked Endeavours* that have lately been made use of to inflame the Minds of the People, and by the most *unjust Misrepresentations* to raise *Tumults* and *Disorders* that almost threaten'd the *Peace* of the Kingdom. But I depend upon the Force of *Truth* to remove the *groundless Jealousies* that have been rais'd, of Designs carrying against the *Liberties* of my People, and upon *your known Fidelity* to defeat and frustrate the Expectations of such as *delight in Confusion*.

'It is my Inclination, and has *always* been my *Study* to preserve the Religious and Civil Rights of all my Subjects.

'Let it be your Care to *undeceive* the *Deluded*, and to make them sensible of their *present Happiness*, and the Hazard they run of being unwarily drawn, by specious Pretences, into their OWN DESTRUCTION.'

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The Death of *Augustus*, King of *Poland*, which happen'd Feb. 1. N. S. 1733, had now given another Turn to the Face of Affairs abroad; for as we had disobliged *France* before, by our clandestine Negotiations with the Emperor, we had now an Opportunity to pacify her again, by co-operating with her, in her Endeavours to procure the Re-election of King *Stanislaus*; and this Opportunity we did not fail to make the best Use of imaginable; and proper Instructions were immediately sent to the *English* Minister at *Warsaw*; who, thereupon, acted in such a Manner as sufficiently prov'd, That the Interests of *Great Britain* and *Hanover* are INCOMPATIBLE.

The Emperor upon this takes the Alarm, espouses the Pretensions of *Augustus* of *Saxony*, Son of the late King, and causes a Body of Troops to be assembled in *Silesia*; while a Body of *Russians* actually entered *Poland*, at the Invitation of above Eighty of the *Polish* Nobility: At this *France* affects to take Umbrage, pretends a tender Concern for the Liberties of the *Republic*, but prepares to make Use of the Crisis, to destroy the House of *Austria*: In order to which, she enters into a Confederacy with the Kings of *Spain* and *Sardinia*; orders one Army to pass the *Rhine*, which invested

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and

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and took Fort *Kebl*; and with another, in Conjunction with the King of *Sardinia*, invaded the *Milanese*, while *Spain*, likewise, pour'd into *Italy* a Third, consisting of 20,000 Men, besides the Six Thousand already stationed there, in Virtue of the Treaty of *Seville*, in order to put in for a Share of the Spoil.

This was the Time, one would have thought, for *England* to witness her Concern for the *Balance of Europe*, if it was ever more to be held worth it; but our *Ministers*, it seems, could not then be prevailed upon to be of that Mind, tho' the *Emperor* perfectly drew his Troops out of *Flanders*, that the manifest *Danger* of the *Barrier* might, in a Manner, oblige the *Maritime* Powers to assist him in his present Extremity; tho' the *Dutch* not only became sensible of that *Danger*, but actually apply'd to us for the 10,000 Men we were oblig'd by Treaty to furnish for the Security of the said *Barrier*: Even these Ten Thousand Men they refus'd; and when the *States* would have concerted Measures with our Envoy at the *Hague*, for the Preservation of the House of *Austria*, he declared He HAD NO POWERS TO TREAT. Upon which their High Mightinesses most *wisely* negotiated a *Neutrality* for *Flanders*, with the Court of *France*, and

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we contented our selves with forming airy Schemes of Mediation, which could answer no other End than that of *amusing*, or rather deluding the Public.

Affairs being in this Situation, his Majesty open'd the Seventh and <sup>1733-34</sup> Last Session of the then Parliament, with a gracious Speech; in which are to be found the following remarkable Particulars:

*My Lords and Gentlemen,*

“ THE War, which is now begun, and carry'd on, against the *Emperor*, with so much *Vigour*, by the united Powers of *France*, *Spain*, and *Sardinia*, is become the Object of the Care and Attention of all *Europe*; and, though I am no ways engaged in it, and have had no Part, except by my *good Offices*, in those Transactions, which have been declared to be the principal Causes and Motives of it, I cannot sit regardless of the present Events, or be unconcerned for the future Consequences of a War, undertaken and supported by so powerful an Alliance.

“ If ever any Occasion required more than ordinary Prudence and Circumspection, the present calls upon us to use our utmost Precaution, not to determine too *hastily* upon so critical and important a Conjunction; but  
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to consider thoroughly what the Honour and Dignity of my Crown and Kingdoms, the *true Interest* of my People, and the Engagements we are under, to the several Powers we are in Alliance with, may in Justice and Prudence require of us.

“ I have therefore thought it proper to take *Time* to examine the Facts alledged on both Sides, and to wait the Result of the *Counsil*s of those *Powers*, that are more *nearly* and *immediately interested* in the Consequences of the War, and to concert with those Allies, who are under the *same* Engagements with me, and have not taken Part in the War, more *particularly* the *States-General* of the *United Provinces*, such Measures as shall be thought most adviseable for our common Safety, and for restoring the Peace of *Europe*.

“ As I shall have, in all my Considerations upon this great and important Affair, the strictest Regard to the Honour of my Crown, and the Good of my People, and be governed by *no other Views*, I can make no doubt, but that I may *entirely depend* on the *Support* and *Assistance* of my Parliament, without exposing myself, by any *precipitate Declarations*, to such Inconveniences, as ought, as far as possible, to be avoided.

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“ In the mean time, I am persuaded, you will make such Provisions, as shall secure my Kingdoms, Rights, and Possessions, from all Dangers and Insults, and maintain the Respect due to the *British Nation*: Whatever Part it may, in the End, be most reasonable for us to act, it will, in all Views, be necessary, when all *Europe* is preparing for Arms, to put ourselves in a proper Posture of Defence.”

When this Speech was reported, a Motion was made for an Address of Thanks. To acknowledge his Majesty's Goodness; To declare their *unfeigned Confidence* in his Majesty, that in all his Considerations upon that great and important Affair, his Majesty would have the strictest Regard to the Honour and Dignity of his Crown and Kingdoms, and to the *true Interest* of his People: And to assure his Majesty, That he might *intirely* depend upon the Support and Assistance of his faithful Commons, in such *Measures* as HE should find it *necessary* to enter into, for attaining and securing these great and valuable Purposes: And that That House would make such Provision for the Safety and Defence of the Nation, as should secure his Majesty's Kingdoms, Rights and *Possessions* from all Dangers and Insults.

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But to these very complaisant Particulars Mr. *Shippen* had the Courage to make some Objections. "For fear, said he, That under such a general Expression, there may be couched, or at least it may hereafter be insisted on, that there is couched, a Promise of a *Vote of Credit*, and therefore I should be willing to have those Words a little explained; for I shall always endeavour, as much as I can, to prevent this House being rashly drawn into such Promises."

In answer to which, Sir *R. W.* was pleas'd to declare, 'That there was no Ground to presume an Intention of couching a Promise of a *Vote of Credit*, under the general Expressions, so alluded to by Mr. *Shippen*.'

Sir *John H. Cotton*, and Lord *Coleraine* were for confining the Word *Possessions* to those belonging to the Crown of *Great Britain*.

But so little Weight had the Sense of the Anti-Ministerial Party in the House, that the Address was carry'd in its full Latitude without a Division.

Some Days after Sir *John Rusbout* mov'd to address his Majesty for the *Letters and Instructions* sent to his Majesty's Ministers in *France* and *Spain*, relating to the Execution of the Treaty of *Seville*, and was supported by

by Mr. *Pulteney*; who, among other Things, was pleas'd to express himself to this Effect:

"I would gladly know, how it is possible for the Parliament to give the Nation any Relief in its present melancholy Circumstances, if we deny Access to those Particulars from which only we can know what our present Situation is. If the Question should come before us, Whether or no we ought to take any Part in the present War? Can we pass any Judgment upon such a Question, without first knowing how we stand engaged to the several Powers abroad? And can we know any Thing of this, without first examining the many Treaties and Negotiations which have been carry'd on of late Years? If we are to take no Part in the War, we must provide for the Safety of the Nation: How can we do this properly, and as it ought to be done? How can we judge of the Estimates that are to be laid before us for that End, without knowing what Danger the Nation is in? And how can we know our Danger, without knowing how we stand, with respect to our foreign Alliances and Engagements? For these Ends, Sir, we must have not only the Papers now moved for, but, in my Opinion, a great many others will be necessary, in order

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order to give us those Lights which we ought certainly to have."

But however popular this *great Patriot* was *then* without Doors, his Influence was seldom predominant within: And however positive he was, that without Information there could be no Judgment, the House were resolved to have *no Informations*, and accordingly rejected the Motion by 195 Voices against 104.

As \* ill Luck had Mr. *Sandys* in moving for the Instructions to the *British* Ministers in *Poland* in the Year 1729, tho' supported by Sir *William Wyndham* in the following unanswerable manner:

"It is allowed on all Hands, That the Election of a King of *Poland* is the principal Cause of the War now broke out in *Europe*; and to tell us, that his Majesty has said, That he has had no Share in that Transaction, and that therefore we must not enquire into it, is a direct begging of the Question: The Ministers are the only Persons we can suppose to have said so, and there are other Gentlemen who affirm, or, at least, suspect the contrary: This is a Fact then, that is controverted; this is the Fact

\* The Division, upon this Occasion, was 202 against 214.  
which

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which the House is to enquire into; and when a Motion is made for having those Papers laid before us, which are necessary for giving us some Lights into this Affair, shall Gentlemen be told, That such a Motion is improper, because it is inconsistent with that Respect which we have professed for his Majesty, in our Address of Thanks? If this House can be persuaded to accept of such an Excuse, if a Majority of this House can be prevailed on to join in such a Method of Proceeding, those Gentlemen who can so prevail upon them, may throw out as many Defiances as they please: They are the sole Masters of all the Proofs that are necessary for, or can be made use of upon any Enquiry; and they are, it seems, resolv'd to continue so. If we had no Share in the Transactions at that Time carried on in *Poland*, surely no Secret can be discovered by the laying of those Instructions before this House; and if we had any Share in those Transactions, it cannot be said, I think, that we have no manner of Share in those Transactions which have occasioned the present War in *Europe*.

"What Share we had in those Transactions, 'till I see those Instructions, it is impossible for me to say; but from the Lights I already have, it appears evident to me, That  
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we have had a very large Share in all the other Negotiations; which have been lately carried on in *Europe*. Did not we procure the Introduction of the first *Spanish* Forces into *Italy*? Are not we Guarantees for all *Don Carlos's* Rights and Possessions in *Italy*? Are not we Guarantees for all the Emperor's Rights and Possessions in *Italy*? Are not we Guarantees even for the *Pragmatic Sanction* in its full Extent? I believe we are under Engagements to every one of the Northern Powers; and I have heard, that we are under some Engagements to the Court of *France*; so that let a War have broke out between any two Powers in *Europe*, it will be difficult to shew, that we had no Hand in the Transactions which gave Occasion to that War; upon the contrary, I believe it will appear, that each of them might have justly made Demands upon us; and this, Sir, is our present unhappy Situation."

The same Day Mr. *Waller* made a Motion for an Address, 'That his Majesty  
' would be graciously pleased to communi-  
' cate to the House, how far he had been  
' engaged by his GOOD OFFICES in those  
' Transactions which had been declared to  
' be the principal Causes and Motives of  
' the War then carry'd on with so much  
' VIGOUR.

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' VIGOUR.' — But this was carry'd in the Negative without a Division.

Mr. *Sandys* then mov'd for an Address, 'That his Majesty would communicate to  
' the House what Applications had been  
' made to him by the several Parties then  
' engaged in War, founded upon Treaties,  
&c.

Upon which Occasion Mr. *Cockburn* expressed himself to this Effect:

" I am old enough to remember the Beginning of the first great War against *France*, and I remember, that, as soon as the *Dutch* applied to us for our Assistance, King *William* immediately laid the Case before the Parliament, and took their Advice, as to what was proper to be done upon that Emergency, before he came to any Resolution: Upon the Breaking out of the second War, the late Queen did the same; and I must say, that I think, every King of this Nation ought to follow that Example: If they expect the Assistance of Parliament, they ought to take the Advice of Parliament; and our Histories will inform us, that when they have done so, they have generally done well, and when they have done otherwise, they have had but little Success."

This Motion miscarry'd on the Previous Question, without a Division.

Soon after this, the Retailers in Tea and Coffee renewed their Petition to be relieved from the Penalties they were liable to by the *Excise* Laws: But tho' their Case was long and warmly debated, the Motion to refer their Petition to a Committee was over-ruled by 233 against 155.

Thus far we have followed the Efforts, and attended the Success of the *Opposition*; we come now to the Demands of the Crown.

*Feb. 8.* came on the annual Question on the annual Army; on which Occasion those in Power were pleas'd to make the present Situation of *Europe*, a Pretence for adding 1800 Men to the then Establishment; by way of *replacing* the Three Regiments which it was found necessary to continue at *Gibraltar* and *Minorca*.

This was opposed by Sir *William Wyndham*, who, on the contrary, was for *including* the said Three Regiments in the Estimate for the Year.

A warm Debate ensued; Lights into the present State of Affairs were again called for; the *Minister* rose up as if to give them, but disappointed the whole House, and made his Conclusions from the King's Speech *only*: Upon which Mr. *Pulteney* took Occasion to say, "Are we to vote powerful Fleets, and numerous Armies; are we to lay new  
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and great Burthens on the People, and all this without being told *any Reasons* for what we are desired to do? What Satisfaction can we give our *Constituents*, if they should ask us, why we have augmented our *Standing* Army, which must *always* be dangerous to the Liberties of our Country? Why we have consented to the increasing the public Charge, which is already *heavier* than the People can *bear*? Really, to this most material and reasonable Question, I know as yet of no other Answer we can give, but only that his Majesty has *told* us in his *Speech*, that there is a War broke out in *Europe*, in which we have *no manner of Concern*; and his *Ministers* have told us, That we ought to be afraid of the Armies and Fleets raised and fitted out by our Neighbours, because they are under an absolute Necessity of employing all the Armies they can raise, and all the Fleets they can fit out, in those Parts of *Europe* which are most *remote* from us. We have Zeal, Sir, I hope we have all a great deal Affection and Zeal for his Majesty's Person and Government; but do not let us allow his Majesty's Ministers, or even his Majesty himself, to expect such a *blind* Zeal from his Parliament: It is *inconsistent* with the *Dignity* of *Parliament*, and I am sure that Parliaments, *thirty* or  
I i 2 *forty*



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forty Years ago, would hardly have been persuaded to have shewn so much *Complaisance* to the *Ministers* of the *Crown*."

Upon the whole, the Minister carry'd his Point by 262 against 162.

About this Time the Duke of *Bolton*, and the Lord Viscount *Cobham*, having been removed from their respective Commands in the Army, as it was generally understood, for their having acted *independently* in Parliament, the Lord Viscount *Morpeth* made a Motion for Leave to bring in a Bill, 'For the better securing the Constitution, by preventing the Officers, not above the Rank of Colonels of Regiments, of such Land Forces, as shall at any Time, be allow'd by Authority of Parliament, from being depriv'd of their Commissions, otherwise than by Court-Martials, or by Address of either House.' And it was upon this Occasion Sir *William Wyndham*, who had been so often branded by his Enemies as a *Tory* and a *Jacobite*, did both himself and his Party, the Honour to advance the following Sentiments, which *Algernon Sydney* himself would not have been ashamed of.

"The Gentlemen, who have been pleased to speak against this Proposition, have all of them asserted, That, should it take Place,  
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it would alter the very *Being* of our *Constitution*; from whence we must conclude, That these Gentlemen think, that the very *Being* of our *Constitution* consists, not only in having a *Standing Army*, but it consists also in having that Army *absolutely* and *entirely dependent* on the *Crown*; which is an Opinion so directly contrary to that which every Man ought to have of our *Constitution*, that I am sorry to hear of its being entertained by any Gentleman, who has the Honour of being a Member of this House. I wish those Gentlemen would consider a little better the Nature and the Being of our *Constitution*, and the many Alterations that have from Time to Time crept into it; if they do, they will find no *greater Novelty*, nor can they find one more *dangerous*, than that of a *Standing Army*: It is not as yet, I hope, a Part of our *Constitution*, and therefore, what is now proposed cannot be an *Alteration* of our *Constitution*; it is indeed so far otherwise, that the very Design of it is to prevent our *Constitution's* being altered, by a *Standing Army's* being hereafter made a Part of it; or at least to make that Army *less dangerous*, in case it should become absolutely necessary for us *always* to keep up a *Standing Army*. We have likewise been told, That the *Prerogative* is a Part of our

*Constitution*, and the lessening the Power of the Crown, or robbing the Crown of its *Prerogative*, as Gentlemen have been pleased to call it, is an Alteration of our *Constitution*. For my own Part, I have no Notion of any *legal Power* or *Prerogative*, but what is for the *Benefit* of the *Community*; nor do I think, that any Power can be *legal*, but what is *originally derived* from the *Community*; and it is certain, That all the Power that is, or can be given by the *People*, must be given for their *own Protection* and *Defence*: Therefore, if the *People* should afterwards find that they have given *too much*, if they should begin to foresee, that the Power they have *given* may come to be of *dangerous* Consequence to *themselves*; have not they Reason, have not they a *Right*, to take *back* what Part of it they think *necessary* for their *own Safety*? This is the proper Footing, upon which the present Debate ought to be put; and, taking it upon this Footing, suppose, that this Power of removing the Officers of the Army were a Part of the antient *Prerogative* of the Crown; if the *Parliament* should foresee, that this Power might be made a *bad Use* of; that it might easily be turned towards *enslaving* the *People*, would not the *People* have a *Right* to take it from the Crown? would it not be their

their *Duty* to do so? nay, ought not the *Crown* willingly and *freely* to give it up?

There are People in the World, among whom it is notorious, neither the Reasoning of *Socrates*, nor the Rhetoric of *Demosthenes* would have any Weight. We are not to wonder, therefore, that this great Man so frequently spoke in vain: The Question being called for, the *Ministerial Party* prevail'd, without being put to the Trouble of a Division. And when a *second Motion* was made by Mr. *Sandys*, for an Address to know by whose *Advice* his Majesty had been induc'd to *remove* the Two Noble Lords before mention'd, so highly did they presume upon their Power, that not one of the whole *Phalanx* condescended to oppose it by the Shew of Reason or Argument, but arrogantly put the Merits of the Cause on the Strength of Numbers; and so defeated it by 252 against 193,

For the farther Honour of this Parliament, the Duty on *Salt*, which had once been taken off, and which was the very next Year again replaced, was now farther continued to *March* 25, 1742, as a new Indication, that it was to become a Perpetuity.

*March* 13. Mr. *W. Bromley* having first taken Notice, That the Call of the House

having been adjourn'd to a very remote Day on a general Opinion, that no *Vote of Credit* would that Year be propos'd, and therefore that no fuller House was to be expected, made a Motion for the *Repeal* of the *Septennial Act*, and was nobly supported by Sir *John St. Aubin*, who seconded the said Motion. A long and vehement Debate succeeded; in the Course of which, the Mischiefs of *Standing Parliaments* were render'd as clear and manifest as those of *Standing Armies*; and many Gentlemen distinguished themselves in the Defence of the Liberties of their Country; but none more than Sir *William Wyndbam*, who thus expressed himself, to the just Admiration of all who heard him,

" We have been told, Sir, in this House, that no Faith is to be given to Prophecies; therefore, I shall not pretend to prophecy; but I may \**suppose* a Case, which, tho' it has not yet happened, may possibly happen. Let us then *suppose*, a Man abandoned to all Notions of *Virtue* or *Honour*, of no great Family, and of but a mean Fortune, raised to

\* In Opposition to this Picture of an All-corrupting, All-engrossing Minister, Mr. Chancellor of the *Exchequer* was pleas'd to lay out his whole Stock of Rhetoric, to set forth the Image of an ambitious, factious *Anti-Minister*.

be *chief Minister of State*, by the Concurrence of many whimsical Events; afraid or unwilling to trust any but *Creatures* of his own making, and most of them equally abandoned to all Notions of *Virtue* or *Honour*; ignorant of the *true Interest* of his Country, and consulting nothing but that of *enriching* and *aggrandizing himself* and his *Favourites*; in foreign Affairs, trusting none but such whose *Education* makes it *impossible* for them to have such *Knowledge* or such *Qualifications* as can either be of *Service* to their Country, or give any *Weight* or *Credit* to their *Negotiations*: Let us *suppose* the *true Interest* of the Nation by such Means neglected or *misunderstood*, her *Honour* and *Credit* lost, her *Trade* insulted, her Merchants *plundered*, and her Sailors *murdered*; and all these Things overlooked, only for fear his *Administration* should be endangered: Suppose him next possessed of great Wealth, the Plunder of the Nation, with a Parliament of his own *chusing*, most of their Seats *purchased*, and their Votes *bought* at the *Expence* of *public Treasure*: In such a Parliament, let us suppose Attempts made to *enquire* into his Conduct, or to *relieve* the Nation from the *Distress* he has brought upon it; and when Lights proper for attaining those Ends are called for, not perhaps for  
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the *Information* of the particular Gentlemen who call for them, but because nothing can be done in a *Parliamentary Way*, till these Things be in a *proper Way* laid before Parliament; suppose these Lights *refused*, these reasonable Requests *rejected* by a *corrupt Majority* of his Creatures, whom he retains in *daily Pay*, or engages in his *particular Interest*, by granting them those Posts and Places which ought never to be given to *any* but for the *Good* of the Public: Upon this *scandalous Victory*, let us suppose this *chief Minister* pluming himself in *Defiances*, because he finds he has got a Parliament, like a *packed Jury*, ready to *acquitt* him at *all Adventures*: Let us farther suppose him arrived to that Degree of *Insolence* and *Arrogance*, as to *domineer* over all the Men of ancient Families, all the Men of *Sense*, *Figure* or *Fortune* in the Nation; and as he has no *Virtue* of his *own*, ridiculing it in others, and endeavouring to *destroy* or *corrupt* it in ALL.

“ I am still not *prophefying*, Sir, I am only *supposing*; and the Case I am going to suppose I hope never will happen: but *with such* a Minister, and *such* a Parliament, let us suppose a Prince upon the Throne, either for want of true *Information*, or for some other Reason, ignorant and unacquainted

acquainted with the *Inclinations* and the *Interest* of his People, weak, and hurried away by unbounded *Ambition* and insatiable *Avarice*: This Case, Sir, has never yet happened in this Nation; I hope, I say, 'twill never exist; but as it is possible it may, could any greater Curse happen to a Nation, than such a Prince on the Throne, *advised* and *solely advised* by such a Minister, and that *Minister* supported by *such a Parliament*? The Nature of Mankind cannot be altered by human Laws, the *Existence* of *such a Prince*, or *such a Minister*, we cannot *prevent* by Act of Parliament, but the *Existence* of such a Parliament, I think, we MAY; and as such a Parliament is much more likely to exist, and may do more *Mischief* while the *Septennial Law* remains in Force, than if it were repealed, therefore I am most heartily for the *Repeal* of it.”

But neither the *Fear* of what *might* be, nor the *Knowledge* of what *was*, had any Effect: The House divided; and the Motion was rejected by 247 against 184.

We are now drawing to a Close of this thorough-pac'd Parliament; and we shall find by their last Acts, as well as their first, that scarce any Parliament before them did *more* to oblige the Crown, or *less* to serve the

the People: For, notwithstanding all that had already pass'd in the House, relating to *Votes of Credit*, so late as *March 28*, we find Mr. Chancellor of the *Exchequer* presenting the following Message to the House:

GEORGE R.

“ His Majesty very thankfully acknow-  
 “ ledges the Zeal and Affection which this  
 “ Parliament has shewn, in the early Dis-  
 “ patch they have already made in the ne-  
 “ cessary Supplies for the Public Service.  
 “ But the War which has broke out in *Eu-  
 “ rope*, still unhappily continuing, His Ma-  
 “ jesty has nothing more at Heart than to  
 “ see that Flame extinguished, and to *avoid*,  
 “ if possible, the engaging His Subjects in  
 “ the *Hazards* and *Expence* of a *War*; be-  
 “ being at the same time desirous neither  
 “ to give any just *Alarm* to other Nations,  
 “ nor subject himself to any *unprovoked* In-  
 “ sults,—In this View, and to the End that  
 “ His Majesty's Endeavours, in Conjunction  
 “ with His Allies, for procuring an *Accom-  
 “ modation*, may in due time have the de-  
 “ sired Effect, and that His Majesty may be  
 “ in a *Condition* to make good such *Engage-  
 “ ments* as *Honour*, *Justice*, and *Prudence*  
 “ may call upon him to *fulfil* or *contract*,  
 “ and that his Kingdom may not be left *ex-  
 “ posed* to any desperate Attempts, during  
 “ such

“ such time as it may be impossible for His  
 “ Majesty to have the immediate Advice  
 “ and Assistance of his Great Council, upon  
 “ any Emergency arising from the present  
 “ Posture of Affairs in *Europe*, which may  
 “ nearly concern the *Interest* and *Safety* of  
 “ *these Kingdoms*; His Majesty hopes, he  
 “ shall be enabled and supported by his  
 “ Parliament, in making such *future Aug-  
 “ mentation* of his Forces, either by *Sea* or  
 “ *Land*, as may be absolutely necessary for the  
 “ *Honour* and *Defence* of His Kingdom; and  
 “ in concerting such Measures as the *Exigency*  
 “ of Affairs may require. Whatever Aug-  
 “ mentations shall be made, or Services  
 “ performed on Account thereof, shall be  
 “ laid before the next Parliament.”

As this Message was quite a Surprise to the *Minority*, and as many of them had already taken Leave of the Town, in order to attend the Elections, Mr. *Shippen* and Sir *William Wyndham* exerted themselves to put off the Consideration of it, till those Gentlemen might have Notice how much it concern'd them, to return once more to their Duty in Parliament: But the *Minister* was still too mighty for them; and the very next Day was appointed for the Decision of this important Affair; when Sir *R. W.* open'd the Debate, gave the House to understand,  
 that

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that even from his MAJESTY'S *Speech*, something of this Nature might have been *expected*, and concluded with a Motion, 'To declare the *Duty* and *Fidelity* of this House to his Majesty, and the *entire Confidence* they repose in his Royal Care,' &c.

To this Mr. *Skippen* reply'd as follows:

" I am glad to find that the Honourable Gentleman has now discovered a Meaning in his Majesty's *Speech* at the Opening of this Session, which he could *not*, it seems, discover the *first Day* of the Session: He was, or pretended, at least, to be so far from *discovering* at that Time any *such Meaning* in his Majesty's *Speech* as he has now shewn to us, that he seem'd very much *surprised* any Gentleman should have the least *Apprehensions* of such a *Meaning*. I, as well as several Gentlemen round me, remember well the Gentleman's very Words upon that Occasion; I remember, when I intimated then to the House my Fears, that some such thing as a *Vote of Credit* was intended, he said, he believ'd *no Man* alive but myself could *dream* of any such thing; but now we are told, that, from his Majesty's Manner of expressing himself upon that Occasion, every Gentleman in the House must have *expected* a Demand of such a Nature as what is now before us: I did, indeed, from what his  
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Majesty said, expect a Demand for a *Vote of Credit*; but I little expected that That Demand would have been attended with such other extraordinary Demands as are contain'd in the Message now under Consideration.

" As no sufficient Time has been given, Sir, for Gentlemen to consider of this extraordinary Demand from the Crown, as no Information has been given us by the Honourable Gentleman who spoke last, from whom, I believe, every Gentleman in this House expected a full Information, with respect to the Reasons the Crown may have for making such a Demand; Gentlemen, like me, who are kept at a Distance from the Secrets of the Administration, have no way left to judge but according to what appears upon the Face of the Message; and from thence I must judge, that the Demand now made upon us is entirely new, and very extraordinary. As I said before, it is a Demand for a *total Surrender* of all the *Rights of Parliament*; for we are now, it seems, to give the King a Power of raising what *Money* he pleases; *we are to give him a Power of raising what Military Force* he pleases *without Consent of Parliament*: Are not these the two Rights, upon which *all* the other Rights of Parliament depend? Is not the Controul we have over these Two,  
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the only Handle by which we can, or dare vindicate any other Right that belongs to us? And after the Surrender of these Two, can it be said that we have any Right, or at least, that we dare claim any Right, but such as the Crown shall vouchsafe from Time to Time to allow us?"

There is no need to proceed either with the Residue of this Speech or the Debate. *Votes of Credit* are now too well understood to need any Explanation; I shall, therefore, add no more, than that *entire Confidence* carried it by 248 against 147.

And, *April 18*, his Majesty clos'd the Scene with a gracious Speech; out of which I shall select but two Paragraphs by way of Specimen of the whole.

" *My Lords and Gentlemen,*

" The Time limited for the Expiration  
 " of this Parliament drawing near, I have  
 " resolved forthwith to issue my Proclama-  
 " tion for the dissolving of it, and for call-  
 " ing a new Parliament, that the *Inconve-*  
 " *niencies* unadvoidably attending a general  
 " Election, may be put an End to as soon  
 " as possible; but I should think My Self  
 " inexcusable, if I parted with this Parlia-  
 " ment without doing them the Justice to  
 " acknowledge the many signal Proofs they  
 " have given, thro' the Course of SEVEN  
 " Years,

" Years, of their *Duty, Fidelity, and At-*  
 " *tachment* to My Person and Government,  
 " and their constant Regard to the *true In-*  
 " *terest* of their Country."

" I have nothing to wish but that My  
 " People may not be *misguided*; I appeal to  
 " their *own Consciences* for My Conduct, and  
 " hope the *Providence of GOD* will DIRECT  
 " them in the Choice of such Representa-  
 " tives, as are most *fit* to be trusted with  
 " the *Care and Preservation of the Prote-*  
 " *stant Religion, the present Establishment,*  
 " and all the RELIGIOUS and CIVIL RIGHTS  
 " of *Great Britain.*"

It is here necessary to remind the Reader of what was said, *p. 425*, of *England's Guarantying the Pragmatic Sanction*, in Return for the Concessions made by the Emperor to *Hanover*; and of the *Million of Rix-Dollars*, which was, at the same Time, agreed to be paid to the Duke of *Holstein*, that *Denmark* might hold *Sleswick* in Peace, under the Guaranty of the *Emperor and Russia*:

For it was now thought high Time to make *Denmark* easy, as to that *Equivalent*; which, it seems, she thought herself no way oblig'd to make good; as having already parted with *Bremen and Verden* on that Account.

Accordingly, on the Strength of the *Vote of Credit*, which had been the Legacy of  
 K k the

the last Parliament, when just expiring, a very handsome Sum of ready Money was not only advanc'd to his *Danish* Majesty, but we also struck up a Treaty with him, *Sept.* 19, 1734, by which this Nation was to pay 250,000 Crowns a Year for Three Years, by way of Consideration for 6000 Men; which, with the Levy-Money, amounted to a good Million of Rix-Dollars, and thereby fully answer'd the *Equivalent* before-mentioned.

It must farther be observ'd, That at the Time of making this Bargain, there was not the least Shadow of a Pretence left of our engaging in the Cause of the Emperor, for the Support of the *Pragmatic Sanction*; not only because the opposite Interest of *Hanover* forbid it, but because the *Dutch* the very Year before (1733) had sign'd an Act of *Neutrality* with *France*.

But, in the mean while, though *France* had the highest Obligation to *Great Britain* for a *Neutrality*, which had so visibly facilitated the Conquest of *Italy* for the Allies, and consequently *Britain* had all the Reason in the World to expect the most grateful Returns from a Power whom She had so particularly oblig'd, yet the 4th of *November*, N. S. the following extraordinary Edict had been published in *Paris*.

By

By the KING.

HIS Majesty being informed, that there is a considerable Number of *English*, *Scotch*, and *Irish*, in his good City of *Paris*, and spread over the other Towns and Provinces of his Kingdom, the greatest Part of whom have serv'd in his Troops, and even in the Regiments of their Nation, who are in his Pay; and being resolv'd not to suffer within his Dominions, Persons who are here as *Vagabonds*, and without any visible Support, when at the same time they may be usefully employ'd in the said Regiments, his Majesty expressly enjoins all the *Irish*, *English*, and *Scotch*, who are in his good City of *Paris*, and in other Towns and Places of his Kingdom, without Callings or Employments, from the Age of Eighteen to Fifty, and able to carry Arms, whether they have or have not been heretofore in the *Irish Regiments* which are in his Majesty's Service, to repair immediately to the Garrisons mentioned at the Foot of these Presents, where the said Regiments now actually are, and there to join and take on with them, under the Penalty, to such as have already served, to be treated as Deserters, according to the Rigour of the Ordinances, and the others to be treated as *Vagabonds*, and condemned to the Gallies.

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*Galley's*. His Majesty also orders and commands all Provosts of the *Marechaussy*, and other Officers of the Short Robe, to seek after and *seize those of the said Nations*, who, in Disobedience to the present Ordinance, shall be found in *Paris*, or in any of the other Cities, Towns, and Places of this Kingdom, 15 Days after it has been made public, to be proceeded against according to the Contents of it.

As soon as this Edict appeared, what they call the Officers of the Short Robe in *France* immediately put it in Execution with the utmost Severity and Rigour; a great many *British* Subjects were immediately seiz'd, and the Prisons of *Paris* began to be crowded with *English, Scotch, and Irish*, all destin'd by the Court of *Versailles*, either to carry a Musket, or be sent to the Gallies. None of those injured Persons were even permitted to advertise their Friends and *French* Acquaintances of the cruel Treatment they met with, and several of them having been surprized, as well as taken, they must have perished in Goal through Hunger and Cold, at that Time of the Year, had it not been for the active Charity of the *Jansenists*, who found Means to send them Relief. Such a Proceeding could not be long a Secret in *Britain*; the next Mail brought us

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an Account of it; and our News Papers began to make so brisk an Opposition, on this Side of the Water, to that inhuman Proceeding, while his Excellency the Earl of *Waldegrave*, his Majesty's Embassador in *Paris*, made such vigorous *Remonstrances* to the Court of *France*, on the other, that the *French* Ministry found they had taken a very wrong Step in so critical a Conjunction. Upon which They explain'd their Edict by another; the Prisons were open'd, and the *British* Subjects set at Liberty.

In the mean time, the Distresses of the *Emperor* multiply'd every Day; and in a very pathetic Memorial to the *Maritime Powers*, he at once set forth the many Sacrifices he had made for the Preservation of the public Peace, and the unanswerable Reasons he had to demand, and depend upon their Assistance.

"The *Emperor*, saith the Memorial, without ceasing, solicited again and again for a Performance of those Guaranties which have been promis'd him; he knows too well the Value of them, ever to be capable of giving them up, or so much as inclined to desist from the Demand; *the obtaining of these Guaranties* was his only Motive for consenting to the establishing a Prince of the House of *Bourbon* in *Italy*, for evacua-

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ting *Parma* and *Placentia*; for allowing *Spanish* Garrisons to be introduced into the fortify'd Places of *Tuscany*; and for his rejecting all the Offers and all the Prophecies of the Court of Spain, founded upon the secret Insinuations of that of France. It is in vain for People to flatter themselves with re-establishing the Public Tranquility, and rendering it more secure for the future by a new Treaty, 'till the preceding Treaties be made effectual. His Imperial Majesty neither desires, nor wishes, any Thing more, than to see them fulfill'd in all their Articles: and after the Efforts which he has made for preserving the Liberty of *Europe*, it cannot be deny'd, but that it may be very easy to warrant it against any Attempt for a long Time to come, providing only that he be effectually supported. As the Emperor is not in a Condition to make always the same Efforts; the two Maritime Powers can NEVER have an Opportunity, when it will cost them LESS, to establish firmly and speedily a lasting Peace in *Europe*, and to secure the Advantages of their Commerce in such a Manner, that they may no longer be subject to the Caprices of the Court of *Spain*.

Unfortunately! the Emperor has never been deceived in what he has foreseen or foretold, with respect to the Consequences  
of

of the Increase of Power in the House of *Bourbon*: At present he foresees Consequences more fatal and less remote than any he has ever foreseen: He desires to prevent them, and he will endeavour it to the utmost of his Power. He does not seek to aggrandize himself; all his Views are bounded, in being able to employ his Forces, for the Preservation of his Territories, for that of the Empire, whose Interests are so dear to him, and for the Repose of others. The greatest Part of the Advantage arising from thence will accrue to his Allies, from whom he is, and always will be inseparable. It sticks on them to break those Bands with which all *Europe* is threaten'd by the House of *Bourbon*: The fulfilling of those Guaranties, which have been stipulated by Treaties, is the only Method for securing so great an Advantage, and that is what the Emperor demands, in the most friendly and the most emphatical Manner he can think of.

By way of Answer to the Representations made the 17th of this Month, by the Ministers of his *Britannic* Majesty, and my Lords the States General of the United Provinces of the Low-Countries, the Emperor is not against their taking the Method of employing their GOOD OFFICES, if by that Method they can religiously perform all that is

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*required by Treaties, and if by that Method, the Execution of them be no longer retarded.*

But at the same time the Emperor believes, That at this Time of Day, *to content themselves with employing ONLY their GOOD OFFICES, will expose all Europe to a much greater Danger.*"

We must now return to our domestic Affairs.

It is yet fresh in every Body's Memory, how extremely odious the Majority of the last Parliament had made themselves to the Public, by their uniformly acting as the *Agents of the Minister*, instead of fulfilling their Duty as the *Representatives of the People*.

When, therefore, the *People* were once more indulg'd with an Opportunity of putting that great Trust into cleaner Hands, it was scarce to be conceiv'd, that they would again traffic it away.

But *let the Tree be known by its FRUITS.*

Jan. 14, both Houses met, and  
1734-5. Mr. Onslow was again unanimously chosen Speaker by the *Commons*, and on the 23d the King made his most gracious Speech; in which his Majesty sets out with taking it for granted, That the present Posture of Affairs was so well known, that  
both

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both Houses came ready prepar'd to act in a manner suitable to the Crisis.

He then refer'd to his Speech, at the Opening of the last Session, in which he told them, he was no otherw<sup>ise</sup> engag'd than by his GOOD OFFICES in the Transactions that were declar'd to be the Cause of the present Troubles, and that he was determin'd to act in *concert* with the *States*, &c.

In the following Paragraphs, he signify'd, That he had accordingly proceeded in this great Affair with the *mutual Confidence* which subsisted between him and that *Republic*: That, having consider'd the *pressing* Applications made by the *Imperial* Court for *Succours*, and the *repeated Professions* made by the Allies on the other Side, of their *sincere Disposition* to put an *End* to the present Troubles, &c. He had *concurred* in a Resolution taken by the *States*, to use their *joint Instances* to bring about an *Accommodation*, before they came to a Determination, upon the *Succours* demanded by the *Emperor*: That these Instances, at last, had been *accepted* of: That he hop'd, in a *short Time*, a Plan would be offered for a *general Negotiation*: That he did not take upon him to *answer* for the *Success* of it: But that when a Proceeding was founded upon Reason, it would be *inexcusable* not to attempt a Work,  
which

which might produce infinite Benefits and Advantages, and can be of no Prejudice, if we do not suffer ourselves to be so far *amused* by Hopes, that may possibly be afterwards disappointed, as to leave ourselves exposed to real Dangers.

His Majesty added afterwards, among other Things: "I have made Use of the Power, which the late Parliament entrusted me with, with great *Moderation*; and I have concluded a Treaty with the Crown of *Denmark*, of great Importance in the present Conjecture.

"The *Sense* of the Nation is best to be learned by the *Choice* of their *Representatives*; and I am persuaded, That the Behaviour and Conduct of my faithful Commons will demonstrate to all the World the unshaken Fidelity and Attachment of my good Subjects to my Person and Government.

*My Lords and Gentlemen,*

"It is our Happiness to have continued hitherto in a State of Peace; but whilst many of the principal Powers of *Europe* are engaged in War, the Consequences must more or less affect us; and as the best concerted Measures are liable to Uncertainty, we ought to be in a Readiness, and prepar'd against all Events."

There is no need to particularize the  
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Motion for an Address of Thanks, upon this Occasion; tho' rather more general and modest than usual, it was, like all the former, *ministerial* enough o'Conscience. The Gentlemen in the *Opposition*, therefore, only endeavour'd, tho' in vain, to parry the Force of it by an Amendment, in which they were for granting Supplies only in *Proportion to the Expences to be incurred by the OTHER POWERS, who were under the same Engagements with this Nation*; which Amendment was thus supported:

"The *Ballance of Power in Europe*, is certainly of as much Consequence to *other Nations* as it is to this; and when it comes to be really in Danger, it is not to be question'd but we shall find *other Powers* as ready to *join with us*, as we are to *join with them*, for its *Preservation*; and unless we shew too much Readiness to bear *all* the Expence, it is also certain, that those who are in *equal Danger*, will never refuse to bear their *proportionable* Share of the Expence: But if ever this Nation should set itself up as the *Don Quixot of Europe*, we may then expect that most of the Powers of *Europe*, who are not immediately attack'd, will leave the *whole Burden* upon us; and this, I am afraid, is too much the Case at present; for as our Neighbours the *Dutch*, are *more exposed* to  
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the *Danger* than we are, I must conclude from their *Inactivity*, that either they do *not* think the *Ballance* of Power in *Danger*, or otherwise we have given them Room to believe, that we will take upon us the *Defence* of this *Ballance*, without putting them to any Trouble or Expence; and for this Reason I think it is become absolutely necessary for us to give some such Recommendation to his Majesty, as is proposed by this Amendment, in order to convince the World, that we are not to set ourselves up as the *Don Quixots* of *Europe*, &c.

Some Days after, a Motion was made by those in the Minority, That an humble Address should be presented to his Majesty, that he would be graciously pleased to give Directions to the proper Officer or Officers, to lay before that House an Account of the Expences incurred, in Consequence and by Virtue of the Vote of Credit and Confidence, which was passed in that House towards the End of the last Session of Parliament.

To which Motion it was objected, That the House had then before them what was proposed to be desired by the Address moved for; for in one Account they had the whole of the Expences that had been incurred by any Addition made to the Sea Service, in consequence of that Vote of Credit; in another

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ther they had an Account of the whole Expences that had been incurred by any Addition made to the Land Service; and in a Third they had an Account of what had been incurred on Occasion of the Treaty lately concluded with *Denmark*: Besides all which, they had an Account of what Monies had been issued from the Treasury for all, or either of these Services: That the presenting of such an Address would, in their Opinion, shew a Want of Respect to his Majesty, and a Sort of Jealousy and Diffidence in what he had already order'd to be laid before them.

It was by the Division upon this Question, that the Nation was to be taught, how much or how little their *Septennial* Right of returning a *new* Representative was worth; and whether the *Redress* of *Grievances* was any longer to make any Part of the Business of *Parliaments*: When, lo, it appeared, That the hated *Minister*, who had so lately made so open an Attempt to sacrifice the *last* Remains of Liberty; and who, for that Cause, had been publickly burnt in *Effigy*, had as great a Majority as ever against the *Nation*; the Number on his Side being 265 against 185.

The next important Motion was for 30000 Seamen, which was vigorously opposed

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posed by the Anti-Courtiers, who made it appear unanswerably, that \* 20000 were more than sufficient to answer all the honest Purposes of an honest Administration.

The principal Arguments of those in Power were to this Effect :

“ Whatever might have been the *Views* of the Parties engaged at the *Beginning* of the War, yet, upon seeing this Nation put itself in such a *Posture of Defence*, they all thought proper to *drop* any *ambitious Views* they might then entertain, by *accepting* of the *good Offices* his Majesty had offer'd: Their *ready Compliance* in this respect, can be attributed to nothing but the *Preparations* we made last Year, and the *Powers* that were *granted* by last Session of Parliament to his Majesty; for *by these* we deprived them of all Hopes of succeeding in any of their ambitious Views. It was *this* that produced an *Acceptation* of the *good Offices* his Majesty had offer'd; and if we should slacken in our Measures, if we should *discontinue* our Preparations, it would render us *despicable* in the Eyes of all the Parties engaged in War, and would consequently disappoint the good Effects we have Reason to expect from that *Acceptation*.”

\* The Number granted the Session before; to which his Majesty had added 7000 more during the Recess.

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To which it was reply'd, “ That the Preparations we made last Year, or the Powers granted by last Session of Parliament to his Majesty, *produced* the *Acceptation* of our *good Offices*, is something very surprising; especially when we consider what *Sort* of an *Acceptation* we have been favour'd with: The *Emperor* has accepted of our *good Offices* under this *express* Provision, That his Acceptance should not be looked on as a passing from those *Succours* which he insisted on, we were obliged to furnish him, by the *Treaties* now subsisting between us: And the *Allies* have likewise made their *Acceptation conditional*; for they have accepted of our *good Offices* under this *express Condition*, That we should continue *neutral*, with respect to the present Disputes between them and the *Emperor*. Can it be imagined, that *warlike Preparations* were *necessary*, or that *extraordinary Powers* granted by Parliament, were *necessary* for producing such *limited Acceptations*? Can any Man doubt but that we would have obtained *such* an *Acceptation* of our *good Offices*, tho' *no* such Preparations had *ever* been made, tho' *no* such *Powers* had ever been granted. But even supposing that this *Acceptation* was produced by the *warlike Preparations* we made last Year, must not every Man agree, That this

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*conditional, limited Acceptation* has cost us a terrible Price, when he considers, that it has cost this Nation at least a Million Sterling; and if the *Plan* we are to offer, in pursuance of this Acceptation, should at last be REJECTED, what Benefit, what Honour can we receive from the Expences we have put our selves to?"

Much more was urg'd, but all to so little Purpose, that upon dividing the House, the Court carry'd their Point by 256 against 183.

Some few Days after the *Standing Army* came likewise under Deliberation, when another *ministerial Motion* was made, That the Number of effective Men, &c. should be 25744, which, notwithstanding the *pacific Plan* we were still pursuing, viz. of interposing in the present Troubles of *Europe* with our *good Offices* only, was carry'd by 261 against 208.

The next remarkable Motion was made by Sir *William Wyndham*, viz. That the ordinary Estimate of the Navy for the Year 1735, might be referred to a *Select Committee*, according to Two Precedents of the like Nature, which had taken place in the Second and Third Years of *K. William*: To shew the Necessity of which, he took Notice, That in the *Navy Accounts*, then upon

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upon the Table, there was one Article of very near 250,000*l.* charged, not for the Building of *Ships*, but for the Building of *Houses*; adding, whether such Houses were necessary, I shall not now pretend to determine, but if they were, I think it is *too large* a Sum for any Minister, or for any *Administration* to have expended, without a previous *Authority* from *Parliament*, and That, I am sure, was never so much as *asked for*. What the present may think of such a Sum, or what the Gentlemen of this House may think of such a Sum, I do not know; but I am sure their Ancestors, even those of the very last Age, would have been extremely shy of loading the People with, at least, a Six-pence in the Pound upon all the Lands in *Great Britain*, for no other Purpose but that of building Houses for the *Commissioners* and other *Officers* belonging to the *Admiralty*; and I must think it a little extraordinary to see *Ministers*, of their own *Heads*, undertake to do That which even *Parliaments* of old would scarcely have undertaken to have done; and afterwards, we have been *cajoled* and made *believe*, That what we were spending *yearly* was no more than the Taxes *yearly* raised would *answer*: These Taxes have been chearfully granted by *Parliament*, and as chearfully paid by the

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People, in full Expectation that these were all that were necessary for answering our annual Expence; but now, Sir, when we are in Danger of being brought into a great, but unforeseen Expence, we are told, that we have run much in *Arrear*; That a great Debt has been contracted; and, That for the Payment of this Debt, we must either mortgage those Funds which ought to be reserved for a *Time of Danger*, or we must lay violent and *impious* Hands upon those *Funds* which have been long ago declared *sacred*, and *religiously* appropriated for relieving us from those heavy Burthens we at present groan under."

But they were deaf to the Voice of the Charmer: all Enquiries, it seems, tended to create *Fears* and *Jealousies* among the People, and to give them *Suspensions* of his Majesty's Government. Upon a Division, therefore, the *Negative* carry'd the Day by 198 against 160: And when a Motion was made for committing Mr. Sandys's PLACE-BILL, upon the second Reading, it was likewise over-ruled by 216 against 192.

For the same Reason, That these Gentlemen could so frequently say NO to the People, they could never once say NO to the King. Thus when a Motion was made for granting 56,250 *l.* on account of the Subsidy

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dy payable to the King of *Denmark*, it pass'd in the Affirmative by 270 to 158.

And when another was made for applying a Million out of that *sacred Deposit* the *Sinking Fund*, towards the current Service, it met with the like Success.

In one Word, this Parliament took effectual Care, in their very first Session, to convince all the World, that they were resolv'd to tread in every Footstep of the *last*; which, no doubt, afforded very comfortable Reflections to their *Constituents*.

May 15, His Majesty was pleas'd to put an End to the Session with a most gracious Speech; in which are the following remarkable Particulars:

"I have consider'd, with great Care and Attention, the present Situation of *Europe*, and duly weigh'd the Consequences that may arise from the Progress of the War, either by Means of its becoming more *general*, or continuing *only* to be carry'd on between the Powers already engaged.

"An *Accommodation* of these unhappy Troubles, appeared to be the best Means to prevent the Dangers that are to be apprehended on either Side. In this View, a Plan of Pacification was concerted between Me and the *States General*, with great Impartiality, and not without reasonable Grounds to



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hope for Success; *altho' it hath not had the desired Effect.*

“ But all further Resolutions to be taken in this important and critical Conjunction, will be principally determined by *future Events.* This makes it *impossible* for Me, at present, to take the *previous Advice* and Concurrence of my *Parliament*, in such Measures as may become absolutely necessary to be entered into.

*Gentlemen of the House of Commons,*

“ I return you my hearty Thanks for the Supplies you have, with so much Chearfulness and Dispatch, granted for the Service of the current Year; which have been so effectually raised, and accompany'd with so *seasonable an Augmentation* of our Forces by Sea and Land, that I shall be in a *Condition* to make *Use* of them in the most *advantageous Manner* for the public Service, as any Occasion, that may *happen* to arise, shall require.

“ As I think it *necessary* this Summer to visit my Dominions in *Germany*, it is my Intention to appoint the Queen Regent here during my Absence, of whose just and prudent Administration you have, on the like Occasion, had Experience.”

Thus we have it acknowledg'd, at last, from the Throne, That the Million extraordinary,

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dinary, which our pacific Measures had cost us was thrown away.

But let us refer to the Fact itself. On the 8th of *May*, N. S. *Monf. Fenelon*, the *French* Ambassador at the *Hague*, desired a Set Conference with their High Mightinesses Committee for foreign Affairs, which being fix'd according, his Excellency spoke to them to the following Effect:

“ His Most Christian Majesty having maturely examin'd the Articles of the Plan of Peace, and having caused Conferences to be holden upon that Subject with his Allies, he finds, as well as the Kings of *Spain* and *Sardinia*, that *None* of the Articles thereof is acceptable; and therefore his Most Christian Majesty is oblig'd to declare, THAT HE REJECTS IT ENTIRELY. However, he declares, That he is still in *Dispositions advantageous* for Peace, provided it be stipulated on *reasonable* Conditions; and that he should be very well pleas'd, if the *Mediators* would draw up a *new Plan* of Accommodation, and leave out *every Article* contain'd in the former.”

Nor was this all; for, as if the Fate of our favourite Plan had not given us Mortification enough already, and as if the Allies were resolv'd to put our Patience and good Humour to the utmost Stretch, the *French*

King, as it was said, expressed himself in the following Manner to a Minister of *Great Britain*:

“ Nothing interests me in the present War so much as *Poland*; my Honour is highly concern'd in it: It's indifferent to *England* what Prince reigns there, having no Interest therein: The Conquests which my *Allies* have made in *Italy* are more immediately their Concern than mine; as soon as *they* shall be satisfy'd about them, I shall be content: But in the mean time, I will do my utmost Endeavour in *Germany* to weaken my *Enemies*. I have already declared, That I would not keep *Possession* of any of the *Places* that I should take; *England* may be assur'd of it from the Promise I have made her: She would have given me infinite Satisfaction in her Mediation, if she had not at the same time arm'd herself; but I would have her know, *That no Power in Europe shall give Law to me.* And this you may communicate to your MASTER.”

Upon this his Excellency Mr. *H. Walpole*, then Embassador from *England* to the *States*, presents a fierce *Memorial* to their High Mightinesses, requiring them to augment their *Forces* both by *Sea* and *Land*, and to act in Concurrence with the King his Master, who had already done the same.

But

But this *Flash* soon expir'd in *Smoak*, as usual. The *Emperor* and *France*, when it was least expected, rush'd into each others Arms. *France* gave up *Stanislaus* in *Poland*, whom it could no longer defend; procured the whole *Duchies* of *Lorain* and *Bar* for itself, and left *Spain* in quiet Possession of *Naples* and *Sicily*, which had been rent from the House of *Austria* in the late War.

But, if our *Ministers* refus'd to give the least Succours to the poor *Emperor*, when at such great Extremity, they had abundantly more Complaisance for the rich King of *Portugal*; who, having quarrell'd with *Spain*, and being under no small Apprehensions for his *Brazil* Fleet, made his Application to *Great Britain* for Aid and Assistance; which was readily and chearfully granted, as far as yet appears, without *Fee* or *Reward*; and Sir *John Norris*, with a Squadron of Twenty-six Men of War, and two Fire Ships, was accordingly dispatched to take the *Portuguese* under his Majesty's Protection.

Such was the State of *Europe*, when the King return'd from his favourite *German* Dominions, to resume the *Drudgery* of reigning over his way-ward, refractory *British* Subjects: And *Jan. 15*, in his most gracious Speech to both Houses, <sup>1735-6.</sup>

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his Majesty first took Notice of the happy Turn which the Affairs of *Europe* had taken, since the Close of the last Session; remind-ed them next of what he had then declar'd relating to the Miscarriage of the *Plan of Pacification* concerted between him and the *States-General*; which, continued He, had not the *Effect* to prevent the opening of the Campaign: The Armies took the Field; and the War was carry'd on in some Parts, in such a Manner, as to give very *just* Apprehensions, that it would *unavoidably* become *general*, from an *absolute Necessity* of preserving that *Balance of Power*, on which the Safety and Commerce of the Maritime Powers so much depend.

“This *Consideration* determined Me to *persevere*, jointly with the *States*, in *repeating* our most *earnest Instances* to the Contending Parties to agree to an *Armistice*, and to enter into a Negotiation for obtaining a general Peace, upon the Basis of the Plan We had propos'd to them.

“Whilst Affairs continued in this State of Deliberation, the Heat and Fury of the War abated; and the *Emperor* and the Most *Christian King*, in Consequence of their repeated Professions of a sincere Disposition to put an End to the War, by an honourable and solid Peace, *concerted* and agreed upon  
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certain *preliminary* Articles, to answer that most desirable End. An Armistice is since agreed to by all the Parties engag'd in the War; and the contracting Powers, in regard to the good Offices employ'd by Me and the States, have communicated to Us, by their respective Ministers, the *Preliminaries*, desiring Our *Concurrence* for effectuating a general Pacification, upon the *Terms* THEREBY stipulated.

“It appearing, upon due Examination, that these Articles do not essentially vary from the Plan propos'd by Me and the States, nor contain any thing *prejudicial* to the *Equilibre* of *Europe*, or to the Rights and Interests of Our respective Subjects; We have thought fit, in pursuance of Our constant Purpose, to contribute Our Utmost towards a general Pacification, to declare, by a joint Resolution, to the Courts of *Vienna* and *France*, Our *Approbation* of the said Preliminaries, and Our Readiness to concur in a Treaty to be made for bringing them to Perfection, &c.

“In these Circumstances, my first Care was to ease the Burthens of my People, as soon, and as far as Prudence, in the present Posture of Affairs, would permit. I have therefore order'd a considerable Reduction to be made of my Forces both by Sea and  
Land;

Land; and, If the Influence of the Crown of *Great Britain*, and the Respect due to this Nation, have had any Share in *composing* the present Troubles in *Europe*, or preventing new ones, I am persuaded you will be of Opinion, That it will be necessary to continue some *extraordinary* Expence, until there be a more perfect Reconciliation among the several Powers of *Europe*.

Upon the Report of this gracious Speech to the Commons, a most loyal and obliging Address of *Thanks* was in Return mov'd for, and agreed to, without any Amendment or Division; even the most remarkable If, which stared every Body in the Face, no Body would see: And, except a Recommendation of Mr. *Shippen's*, supported by Mr. *W. Plummer*, that the Reduction mentioned in the Speech might be by \* *whole Regiments*, not by diminishing the Number of private Men in each, as had been of late practis'd, the Day produc'd nothing in behalf of the People worth Remembrance.

But for whatever Reason there was such a dead Silence observed in the *lower* House, in the *Upper*, we find the following shrewd

\* Which, upon 8000 Men, produc'd a Saving to the Public of 76,369 *l.* yearly, more, in the first Case, than in the last.

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Queries made, upon the like Occasion; which, to this very Hour, seem to remain unanswered.

“ Can it be said, That our adding 6 or 7000 Men to our Land Forces had so frightned *France*, as to make them give up any of those Pretensions they had seriously at Heart? Can it be alledg'd, That our Squadrons made them give up the Affair of *Poland*, when the whole World knows we never sent so much as one Ship into the *Baltick*? Or, can it be said, That our Squadrons set Limits to any of their Designs in *Italy*, without ever appearing in the *Mediterranean*? Whatever his Majesty's Endeavours were, we may judge from the Event, That he could have no Hand in the Peace that has been concluded; for I am convinced, his Majesty never did, nor ever would use the least Endeavours for annexing to the Crown of *France*, for ever, the whole Dominions of the Duke of *Lorain*; and as this was apparently the Motive which induced *France* to sacrifice all her other Views, as well as most of the Views of her Allies, how can we say in our Address, with any Appearance of Truth, That the Peace was owing to our Preparations, or any of his Majesty's Endeavours? Or, how can we from thence declare, That we see with Pleasure, the hap-  
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py Effects of the extraordinary Supplies of late Years granted by Parliaments?"

In the Committee upon the *Supply*, Sir *Charles Wager* having mov'd, That 15000 Men should be employ'd for the Sea Service, Mr. *W. Plummer* took Occasion to make the following excellent Observations; which, not falling immediately under the Question, then before the House, appear notwithstanding, to have had little or no Weight.

"I have always observ'd, That no Foreign Prince would lend us any of his Troops, without our engaging not only to *pay* them, but to grant him a Subsidy *greater* than the Pay of those Troops, upon their own Footing, would have amounted to, and that even in Cases where the Prince stood *obliged*, perhaps by *former Treaties*, to assist us with Troops at his *own Expence*, and often in Cases where his *own Preservation* was more immediately concern'd, in the Event of the War, than *ours*.

"'Tis true, Sir, we are always obliged, upon such Occasions, to have Recourse to the Princes of the *North*, who, by Reason of their Poverty, plead an Inability to send us, or to have ready to be sent, the stipulated Succours, unless we, by a *new Contract*, agree to pay them a Subsidy; which has some Shew of Reason, or at least of *Necessity*, when they raise any *new Troops* for our Service.

Service; but I never could comprehend either the Reason or the Necessity for such a Pretence, when they make no *real Addition* to the Land Army they before kept up, nor put themselves to one Farthing of an *additional Expence* on account of their Subsidy from us; which I know has sometimes been the Case for Years together; during all which Time we have been so generous as to pay their Subsidy regularly, for enabling them to defray an Expence they never were at: At least, in the *public Accounts*, delivered to this House, those Subsidies have been yearly stated, as *fully* and regularly paid, in pursuance of the Treaties we had before approved of; tho' indeed, an *Accident* happen'd not long ago, which gave room to think that all those Subsidies had *not* been *fully* and regularly paid to the Princes so intitled to them.

"Now, Sir, if we narrowly consider our Circumstances, I believe we shall find, that we are as *poor*, and in as great Difficulties, as the *poorest* Prince in the *North*; and as we have lately sent a very powerful Squadron to the Assistance of a very rich Prince, I make no doubt but that our wise and frugal Ministers let that Prince know, before they sent out the Squadron, that, with respect to him, we are a *Northern Power*, and as  
needy

*needy* as any Power he could apply to ; and that therefore they have *obliged* him to *pay* us a *very large Subsidy*, for the powerful Squadron we sent to his Assistance.

“ I am very sure our Ministers had much *more Reason* to insist upon such a Subsidy, than the Ministers of any *Northern Power* ever had to insist upon a Subsidy from us ; for, with respect to the Breach between *Portugal* and *Spain*, it was, in my Opinion, at least as great a Question which of them were acting upon the Offensive, as it was with respect to the late Breach between *Spain* and the Emperor ; therefore we were not by any former Treaty obliged to send him any Assistance.

“ To this I must add, that it cannot be said, That the Preservation of this Nation was immediately concerned in the Event of the War between *Portugal* and *Spain* ; which has generally been the Case with respect to those Northern Princes to whom we have hitherto distributed *our Subsidies*.

“ From these Reasons, I am induced, Sir, to think, That our Ministers have certainly stipulated a large Subsidy from *Portugal* ; and I have taken Notice of it upon this Occasion, only to put Gentlemen in mind to call for an Account of this Subsidy, at a *proper Opportunity* ; and to appropriate it to the

the maintaining the 15,000 Seamen now to be voted ; in order to prevent our being obliged to load the present or the future Generation with additional Taxes, or to lay violent Hands upon that Fund, which ought always to be held sacred to the Payment of our public Debts ; by which only we can free our poor Labourers and Manufacturers from those Taxes which at present render the Necessaries of Life so much dearer in this Country, than they are in any other.”

Two Days after, the Motion, That the ordinary Estimate of the Navy might be referred to a Select Committee, was renewed, with the same Success as before ; the Numbers on dividing the House being 256 against receiving *Information*, and 155 for it.

*Feb. 2.* Mr. *Sandys* did himself the Honour to move, That the Supply for the current Service might be rais'd within the Year. This the Courtiers oppos'd as usual ; a warm Debate ensued ; in the Close of which, one of the Gentlemen, *then* of the Minority, expressed himself in the following prophetic Manner ;

“ The very Question now before us is, Whether we ought to lay a *Restraint* upon ourselves, with respect to the contracting of any *new Debt*, or *diverting* the *Sinking Fund* from that Use for which it was originally de-

designed, and to which it stands appropriated, by the express Words of those Acts of Parliament, by which it was established? The Restraint now proposed, is *only* for this Session; but I wish the Restraint were for *all Sessions* to come; and I am sure, if we have any Regard for our Posterity, if we have any Regard for the present illustrious Family, if we have any Regard for the future Happiness, I may say, *Preservation* of the Nation, we shall, at least for this Session, act as if we were under such a Restraint; therefore, there can be no Harm in laying ourselves under any such; and there is the more Occasion for it, because of the *frequent Deviations* we have lately made from this *necessary Rule*; and because of the *bad Use* that may be made of some *late Precedents*: for if a Check be not speedily put to such Measures, as all Administrations are but fleeting Things, we may expect that *every Administration* will endeavour to make themselves easy, and to put off the *evil Day* as long as they can, by contracting some *new Debt* every Year, and *mortgaging* some Part of the *Sinking Fund* as long as there is a Shilling of it left. As we have at present a pretty considerable *Sinking Fund*, this Measure may, perhaps, support the present Administration as long as it can well be supposed

posed to last, especially if no War happens in the mean time; but *sad* and *melancholy* will the *Reckoning* CERTAINLY come to be at last, when we find ourselves engaged in a *dangerous* and *expensive* War, our People loaded with as *heavy* Taxes as they possibly can *bear*, and all those Taxes *mortgaged* for the Payment of Debts, except just as much as may be sufficient for the Support of our Civil Government."

About this Time their *Worships* the *Middlesex* Justices, their *Honours* the Officers of the Guards, and their *L—ds* the *B—s*, being equally concern'd for the Souls and Bodies of his Majesty's Liege Subjects, receiv'd Orders to make War upon the *Gin-shops*, that their Commander in Chief might have a Pretence to levy new Contributions.

Accordingly, this Affair was brought into the House of Commons, and there gave rise to the laying a new Duty upon \* *Spirituos Liquors*.

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\* It ought not to be forgot, that, while this Affair was depending, in order to know what Increase had arisen in the Excise, by the lessening the Consumption of Spirituous Liquors, and that the said Increase might be appropriated to the *Aggregate Fund*, a Motion was made for an Account of the Net Produce of the hereditary and temporary Excise; and that it pass'd in the Negative by 182 Voices against 122.

But this was not all; the Minister pretended, That if the Evil of Drunkenness should be diminished by enhancing the Price of these Liquors, the *Surplusses* arising to the *Civil List* would also diminish in proportion, and, therefore, demanded an annual 70,000 *l.* out of the *Agregate Fund*, by way of Equivalent, in behalf of the Crown.

This gave rise to several very strenuous Debates; in the Course of which, among a Variety of other Particulars, the following deserve a Place.

“ ’Tis true, that by the present Establishment of the *Civil List*, there are a great many Duties appropriated towards the raising of that Revenue, with the Proviso, That if they do not produce 800,000 *l.* yearly, if there happens a Deficiency, we are to make it good; but if there happens an Increase or Surplus, the Whole shall belong to his Majesty. This, I grant, is the present Establishment of that Revenue; but this Day’s Debate shews us the *Inconvenience* of making such Establishments; and I am very sure, that neither his Majesty, nor the Parliament, ever thought, or ever intended, that any of those *Surplusses* should be *increased* by any Thing that might tend to the *Destruction* of the People in general; nor was it ever intended, that the Parliament should

should not have it in its Power to prevent, or to put a Stop to a pernicious Consumption, without making good to the *Civil List* the *Surplus* that had arisen from that very pernicious Consumption. It may as well be pretended, That if the *Plague* should spread itself over *Spain* and *Portugal*, we could not prohibit Commerce with them, or prevent the Importation of their Wines, without making good to the *Civil List* its Share in the Duties upon those Wines, at a Medium to be computed for eight Years past: Whereas in such a Case, I believe, it will be granted, that the *biggest Obligation* we could lie under, would be to make the *Civil List* good 800,000 *l.* a Year, in case the Produce of the other Duties appropriated for that Purpose should fall short of that Sum.

“ But the Case now under Consideration stands in a much stronger Light; for if all the Duties appropriate to the *Civil List*, now produce a Million Sterling yearly, the Regulation we are to make, tho’ it may entirely take away one Branch of that Revenue, or very much diminish it, yet it will increase some of the others so much, that all together they will still produce at least a *Million* yearly; and the utmost that can be pretended is, That the Parliament shall not, by any new Regulation, diminish the general



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ral Produce, or general Surplus of the Civil List Revenue, as it stands at present, or may stand at any future Period of Time.

“ To illustrate this Matter still a little more clearly : Suppose that Parliament which established the Civil List, had laid a Duty upon *Laudanum*, and had appropriated that Duty to the Civil List : Suppose that, in a few Years after, the Use of *Laudanum* should have become more general and more excessive in this Nation, than ever it was in *Turky*, infomuch, that Multitudes of our People should have been every Day found in the Streets murdered by the excessive Use of that *Poyson*, and that by this general and excessive Consumption the Duties upon it should have occasioned a vast *Increase* in his Majesty's Civil List Revenue ; will any Gentleman pretend, that the Parliament could *not* make any Regulation for *preventing* the *Abuse* of that *Poyson*, without making good to his Majesty the *Increase* in the Civil List Revenue, that had been occasioned by that Abuse ? Is not this the very Case with respect to Spirituous Liquors ?

“ To conclude, from the whole that has been said upon this Subject, it appears evident to me, That if the Surplus of the Civil List should be diminished by what we are

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are now about, we are not *obliged* to make it *good* : That if we were obliged to make the Loss good, it ought *not* to be computed at 70,000 *l. per Ann.* That if it should be computed at 70,000 *l. per Annum*, it is apparent, that it will be made good by the *Increase* of the *Excise*.”

We have neither Time, nor Room to follow this Affair, thro' all the various Debates it occasioned : It is sufficient to say, That the *Court* was victorious in *all* : Indeed, every Vote and Resolution, as well as every Session, and every Parliament, shew'd the Vanity of all Opposition, and that the *Minister* was the *Master*.

Thus, upon the Second Reading of the *Place-Bill*, when a Motion was made for its being committed, it pass'd in the Negative by 224 against 177.

Thus, likewise, when a Question was proposed to enable his Majesty to borrow 600,000 *l.* at 3 *per Cent.* on the Surplusses of that *sacred, unalienable Deposit* the *Sinking Fund*, it was carry'd in the Affirmative, even without the *Ceremonial* of a Division.

And thus when the *Dealers* in *Tea* petitioned to be reliev'd from the *Inland Duty* or *Excise* of 4 *s. per Pound* on all *Tea's*, which enabled the *Smugglers* to purchase

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Tea's abroad at one Third of the Price, which they cost the fair Trader at home, and signify'd, That to alter the said Duty to a certain Rate *ad Valorem*, would be the most effectual Way to put a Stop to the clandestine Importation of Tea, Advantage was taken to bring in a Bill, which, instead of *relieving* the said Petitioners, or any ways *diminishing*, or qualifying the said *Excise*, expos'd the Subject to Dangers and Penalties of so extraordinary and unprecedented a Nature, that when the Bill had pass'd the Lower House, even the Law Lords in the Upper, took the Alarm, and made a glorious Stand in behalf of the Constitution; as may be seen from the Passages that follow, which are here inserted to do Honour to those, who, upon this Occasion at least, acted in a manner so worthy of *Englishmen*.

“ By all those who understand any Thing of our Constitution, it must be granted, That one of the great Barriers for the Liberties of the People, is, that fundamental Maxim of the Laws of the Kingdom, by which every Man is presumed *innocent*, till the contrary appears by some *Overt-Act* of his own; and that Act must be such a one as is in itself *unlawful*, and of such a Nature, that no innocent Construction can be put upon it. We have in our *Laws* no such Thing

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Thing as a Crime by *Implication*; nor do we pretend to judge of, or to punish a Man for meer *Thinking*.

“ Another Security for our Liberties, is, That no Subject can be imprisoned, unless some felonious and high Crime be sworn against him. If the Crime be not in itself atrocious, or if there be only a Suspicion sworn against him, the greatest Hardship he can be subjected to is, to be imprisoned till he gives Bail for his Appearance; and if any of our inferior Judges refuse to admit him to Bail, or refuse to accept of proper and sufficient Bail, the Subject so aggrieved, may immediately apply by *Habeas Corpus* to the King's Courts in *Westminster-hall*. This, with respect to private Men, is the very *Foundation-Stone* of all our Liberties; and if we remove it, if we but knock off a *Corner*, we may very probably overturn the whole *Fabrick*.

“ A third Guard for our Liberties, and the only other I shall at present take Notice of is, that Liberty which every Subject has, not only to provide himself with *Arms* proper for his Defence, but to *accustom* himself to the *Use* of those *Arms*, and to travel with them whenever he has a Mind. This is not only a *Defence* for our *Liberties*, but it is the chief and the *only* Defence upon

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which we ought to depend, for the *Preservation* of our Country against foreign Invasions.

“ Having premised these Observations upon our Constitution, and upon the Nature of a free Government, give me Leave, my Lords, to apply them to that Clause in this Bill, which subjects every Man in the Kingdom to the Danger, nay, I may say, *Certainty*, of being committed to Prison by a single *Justice of Peace*, without *Bail* or *Mainprize*; of being convicted and *transported* as a *Smuggler*; and, if he returns before the Time limited, hanged as a *Felon* without *Benefit of the Clergy*; and all this without his having been guilty of any one *Overt-Act*, except that of travelling properly armed for his Defence, and having the Misfortune to meet with two of his Friends upon the Road, armed in the same manner; in case any two Rogues of *Informers*, or perhaps real *Smugglers*, who are to get 150, perhaps 250*l.* by their Perjury, shall swear that this honest Man, and his two Friends, were assembled and armed, in order to be aiding and assisting in the clandestine running, landing, rescuing, or carrying away prohibited, or uncustomed Goods. This Regulation, when stripped of that Multiplicity of Words which render obscure the

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the Meaning and Intent of every Clause of an Act of Parliament, really seems to me to be the most terrible and the most entrapping Regulation that was ever proposed in any Country; and if it passes into a Law, I am sure it will not be quite safe for any three Gentlemen in the Kingdom to be seen in Company together, if they have but walking Swords by their Sides.”

And such an Impression did these affecting Considerations at first make upon the House, that they gave Way to certain proper Amendments without a Division: But when those very Amendments came to be reported, the next Day, all were rejected, by 64 against 58. The House then added a Clause of their own; with which Alteration it was again sent down to the *Commons*; where the *Speaker* endeavour'd to raise a Spirit against it, by shewing, from the *Journals* of the House, That in some sort it encroached upon their *Privileges*, for the Lords to make any Amendment to any Bill, relating to the raising of *Taxes*; which were to be look'd upon as Appendixes to Money Bills.—But all was in vain. The Bill serv'd to arm the Government with new Powers, and therefore was pass'd into a Law.

I shall take my Leave of this Session, with observing, That the *Majority* refused  
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to oblige the *Dissenters* with the Repeal of the *Test Act*; which added Ingratitude to all their other *Sins*; for, generally speaking, scarce any Set of Men had gone greater Lengths to oblige and serve their *Leader*.

May 20, His Majesty made the parting Compliments to both Houses, in a most gracious Speech; from whence I shall take Leave to quote Two or Three of the most significant Paragraphs, as follow:

“ I acquainted you at your first Meeting, that *Preliminary Articles* had been concluded between the *Emperor* and the *Most Christian King*; since which Time a further *Convention*, concerning the Execution of them, hath been made, and communicated to me, by both those Courts; and Negotiations are carrying on by the several Powers engaged in the late War, in order to settle the general Pacification.

“ It is a great Concern to me, to see such *Seeds of Dissention* sown among my good People, as, if not timely prevented, may prove very prejudicial to the Peace and Quiet of my Kingdoms. It is my Desire, and shall be my Care, to *preserve* the present *Constitution* in Church and State, as by Law established, perfect and entire, and not to countenance any *Attempts* to the *Prejudice* of either.

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“ It being *necessary* for me to visit my Dominions in *Germany* again this Year, I have resolved to appoint the *Queen Regent* here during my Absence.”

His Majesty's changing his Place of Residence, having made no remarkable Change in the Affairs of *Europe*, we need give no other Detail of foreign Affairs during the *Recess*, than is to be found in the Speech of the *Lords Commissioners*, 1736-7, appointed to open the next Session, *Feb. 1.* which had no better Preface, than *that it was not convenient for his Majesty to be there in Person*; and which, after a sort of introductory Reference to that of the King's, just quoted, proceeded as follows:

“ We are now commanded by his Majesty to inform you, That the respective Acts of *Cession* being exchanged, and Orders given for the *Evacuation* and *Possession* of the several Countries and Places by the Powers concerned, according to the *Alotment* and *Disposition* of the *Preliminary Articles*, the great Work of re-establishing the general *Tranquillity* is far advanced; however, it is his *Majesty's Opinion*, That common Prudence calls upon us to be very attentive to, and observe the *final Conclusion* of this *new Settlement* of such *considerable Parts of Europe*: It is to be hoped, that a  
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general and *lasting* Tranquillity will follow this Restitution of Peace; and that the Renewal of Friendship and Alliances, for the Preservation of it, among the several Princes and Powers of *Europe*, will remove all Dangers and Apprehensions of any *new Troubles* and *Disorders*; but his Majesty apprehends, That an *indolent Security*, and too great a *Disregard* to future Events, may occasion Mischiefs, more easy to be prevented, than to be remedy'd; and that it would be very *unadvisable* to leave ourselves in so *defenceless* a Condition, as to encourage any Enterprizes, which the Enemies to the public Peace may have *vainly* suggested, and flatter'd themselves with the Hopes of."

The Sequel contains a pathetic Complaint of Contrivances and Attempts, carry'd on in various Shapes, and in different Parts of the Nation, \* *tumultuously* to resist and obstruct the Execution of the Laws. To which the Commons, in their loyal Address, were pleas'd to return the following Cavalier Engagements.

" *Most gracious Sovereign,*

Your faithful Commons cannot, without a *just Indignation*, observe the Spirit of *Fac-*

\* *Viz.* About Turnpikes in the West; the Blowing up certain Acts of Parliament in *Westminster-Hall*; Frays with Smugglers; and the Affair of Capt. *Porteous* at *Edinburgh*.

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*tion* and *Sedition*, which has lately manifested itself, in *traducing* and *misrepresenting* the *Legislature*, in contemning all *Authority*, and in open *Defiance* to the *Laws* of the Land.

" It is with the highest Sense of Duty and Gratitude, we acknowledge your Majesty's *Goodness*, not only in your ready *Concurrence* to all such wholesome *Laws*, as have been, from Time to Time, prepared by your Parliament, but in your constant Care to *enforce* them by a due *Execution*, with the strictest Regard to the Rights and Properties of your People, and without the least *Colour* and *Shadow* of any Design or Attempt to stretch or violate the known *Laws* of this Realm.

" We cannot sufficiently express our *Abhorrence* of the many *wicked* and *detestable* Practices, which the *Disturbers* of the Public Repose have *secretly* fomented, and *openly* carry'd on, in tumultuously resisting and obstructing the Execution of the *Laws*, and violating the Peace of the Kingdom.

" And we, your faithful Commons, do assure your Majesty, That, being fully persuaded that the Preservation of the public Tranquillity, and our own Safety, are inseparable from the Security of your Government, we will *support* your *Royal Authority*

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in *suppressing* and *subduing* all *seditions* and *riotous* Attempts, that threaten the *very Being* of our *happy* Constitution, and the utter Subversion of those *Liberties*, which have been made the *specious* Pretence for committing these outrageous Disorders."

Which, after the usual Compliment of Thanks, produc'd the following Answer,

"*His Majesty* relies upon the *Wisdom* of his *Parliament*, to frame such Laws as shall be necessary to strengthen and support the Authority of his Government, in preserving the *public Tranquillity*, and securing the *Rights* and *Properties* of his *People*; and his *faithful Commons* may depend upon him for a just and due Execution of them."

In the Course of this Deduction, we have often seen the *Sinking Fund* consider'd as a sacred and inviolable Establishment, and the *Standing Army* as often but as a temporary Expedient; but we have found the Reverse to be the Fact, *viz.* the Last to be a sacred and inviolable Establishment, and the First to be only a temporary Expedient.

And thus, tho' all was Peace abroad, the petty Disorders of a rash and inconsiderable Rabble at home, furnish'd out a Pretence to countenance our *WHIG-Ministers*, for demanding,

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manding, that the \* same Number of Troops might be continued this Year which was granted the last.

This Demand was, however, oppos'd; it was again urg'd, That it was impossible to imagine or expect a Time, when all the Princes of *Europe* will be not only in profound Peace, but without any Views or Designs of making Encroachments upon one another. If we are not to diminish our present Army till such a Time happens, if we are not to pass the River till it runs dry, it is ridiculous ever to think of passing, or to expect a Diminution."

And to account for the Spirit of Discontent, which then prevail'd in the Nation, the following Reasons were added,

"During the late great War, the People of this Nation were subjected to many new and heavy Taxes, and a great public Debt was incurred. Every Man was then sensible of the Debt contracted, every Man then felt severely the Taxes he paid, but every Man comforted himself, that in a few Years of Peace, the Debt would be paid off, and most of the Taxes abolished. We have now enjoyed a Peace of 25 Years standing,

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\* 17,704 Men.

and

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and yet we now find the public Debt near as *large* as it was at the End of the War, and all the Taxes but one, as *high*, and as *heavy* as they were in any Time of the War.

“ Thus the People have been long *disappointed*, and now at last they begin to *despair* of ever seeing themselves relieved from the heavy Burdens they groan under. There may be several other Reasons; there are some which I could mention; but this is the chief Reason of the Discontent's being so *general*, as I am afraid it is; and I am sure the keeping up of a numerous *Standing Army* in Time of *Peace*, is not a proper Method for *removing* this Cause of Discontent. By so doing, we may keep the People quiet, or *knock* out the *Brains* of those who shall presume to be otherwise, but we shall never *remove* their *Discontents*, or *gain* their *Affections*; and this must be done, or our Government must be made *Arbitrary*; for a *free* Government cannot be *supported*, but by having the *Affections* of the Generality of the People.”

In all other Histories, different Actions have different Catastrophes, which serve to diversify the Narrative, and keep the Reader's Attention alive: But in this, we have but one general Issue for all, which is ever foreseen, as soon as the Subject is propounded. Thus

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Thus in the Case before us we are certain an Affirmative is at hand, and all that remains for us to be resolved in, is the Number of the Majority; which was 246 to 178.

By way of *Appendix* to the Army, came on the Provision for *Chelsea College*, which, in two Years time, was found to be *increas'd* almost 10,000 *l.* But such *ministerial* Reasons being assigned for it, as satisfied the House, all Exceptions were over-rul'd, and it was admitted without a Division.

While our Representatives continued to be thus profuse of the public Money, we were furnish'd with a remarkable Proof of the Frugality of the Court.

It was now almost Ten Years since his Majesty's *Civil List* had been establish'd by Parliament; at which Time it was universally understood, That 100,000 *l. per Ann.* was to be allotted out of it, for the Support of the Prince of *Wales*.

But the *One Man*, who was then at the Head of all Things, had such a peculiar Way of interpreting this Act of the Legislature, that he presum'd the Provision for the *Heir Apparent*, depended on his Majesty's Pleasure only.

Accordingly, the Coronation-Ceremony was not only ungrac'd with his Royal High-  
ness's

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ness's Presence, but he was suffer'd to remain for a long Time afterwards at *Hanover*; during which Interval we never heard of his being complimented with one Shilling out of the *Civil List*: And when he was at last hurry'd over, his Court, if it may be call'd one, was settled in the most thrifty manner possible; and so continued, till his Royal Highness's Marriage, which had been celebrated *April 27, (1736)* in the preceding Session.

As, therefore, the *Minority* seem to have first found out the Expediency of the *Heir Apparent's* residing in the Kingdom he was one Day to govern, so they had now the Merit of making a new Discovery in his Royal Highness's Favour; that is to say, That it was high Time he should have the Benefit of the Princely Revenue intended him by the People.

Accordingly, *Feb. 22*, a Motion was made, in Effect, for setting free the *Heir Apparent* from *Ministerial Dependency*, by assigning him, out of the *Civil-List* Revenues, the annual Sum, which the liberal Commons of *England* originally intended him.

Upon this Occasion, many References were made to our *Annals*, and much Parliamentary Learning was display'd: The Undertakers for the Prince were resolv'd to

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make their Attack as vigorous as possible, and both *Minister* and \*\*\*\* were resolv'd not to be overcome.

The First set forth the original Intentions of the People, in favour of his R. H. the Reason he had to expect and demand the Performance of them, and the Right of the House to interpose in his Behalf; in particular, they quoted the Case of King *William*, where the *Grant* of the *Civil-List* Revenue is thus worded: \* "That it is intended that the yearly Sum of 700,000 *l.* shall be supply'd to his Majesty for the Service of his *Household* and *Family*, and for *other his necessary Expences and Occasions.*" — In which, notwithstanding the *Grant* was so general, and the *particular Expences* cannot be traced from any *Accounts*, call'd for at that Time, on the *Journals of Parliament*, nor any public Appeal to *past Experience*; yet there was a *Confidence* placed in the *Crown* for the Payment of *certain annual Sums* to several Branches of the *Royal Family*, tho' not one of Them is named in the *Act*, not even the *Princess of Denmark's* 50,000 *l.* a Year, which She had always out of it. Nevertheless, the *House of Commons* in 1708, took into Consideration

\* 9th and 10th of *W. III.* Cap. 23. Sect. 13.



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tion their own Intention in granting the *Act*; and resolv'd to "apply 100,000 *l.* a Year, Part of the Sum of 700,000 *l.* granted for the Service of *his Majesty's Household and other Expences and Occasions* towards the Payment of the public Debts; the OCCASIONS, for which the said 100,000 *l.* was given, being now ceased."—Which was agreed to, and the Sum beforementioned accordingly taken away. This, it was urg'd, was a Precedent full in every Point. They had no Occasion to address the Throne for an Application of it to what They intended; but upon the public Notoriety of the *Uses ceasing*, for which They design'd it, without any other Reservation of it to the People, They took it back again.

That it was reckon'd at 100,000 *l.* a Year, seems to have been computed upon these Heads; the 50,000 *l.* a Year, that was to have been paid to King *James the second's Queen*; the 30,000 *l.* a Year Dower to *Q. Catherine*; and 20,000 *l.* a Year to the *Duke of Gloucester*.

None of these Articles were in the *Act*, any more than the *Prince of Wales's* in his present Majesty's *Civil-List Act*; yet, upon their ceasing, or being no longer paid, the Form of Confidence, which They had placed in the Crown for those *Uses*, no longer subsisted,

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sisted, and therefore They had a Right to apply it to others, as They did.

As the same Confidence was placed in his late Majesty, when We completed the *Civil-List* to 700,000 *l.* a Year, for supporting the Dignity of the Crown, and making an honourable Provision for the Royal Family; every Intention of Parliament was immediately comply'd with; and in ten Days after, his Majesty notify'd his having order'd Letters Patent for 100,000 *l.* a Year accordingly, to his then Royal Highness, the *Prince of Wales*.

The present great *Civil-List* was granted upon the same Trust and Confidence. Why therefore ought it not to be equally comply'd with, even when the very wording of the Grant is so far from weakening it, on the Foot of former Precedents, that it rather enforces them? For it runs thus: "Being desirous that a competent Revenue, for defraying the Expence of your Majesty's Civil Government, and BETTER supporting the Dignity of the Crown of Great Britain, during your Life, (which God long preserve!) may be settled upon your Majesty, and that your Majesty be enabled to make an honourable Provision for your Royal Family, &c."

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In answer to which, and many other such like Things, the *Minister*, after contending in a very lordly Manner for the absolute Power of the King over his own Revenue, proceeded to inform the House, by the King's Command, of a written Message, sent the Day before, by ten Privy-Counsellors, from his Majesty to the Prince of *Wales*; in which his Royal Highness was given to understand, That his Majesty had *now* given Orders for settling a proper Jointure on the Princess; and that, tho' his Royal Highness had not made Application to have the Allowance of 50,000*l. per Annum*, then paid him *Monthly*, by his Majesty's *farther Grace and Favour* render'd *less precarious*, his Majesty, to prevent the bad Consequences which he apprehended might follow from the undutiful Measures which his Majesty was inform'd his Royal Highness had been advis'd to pursue, would settle the said 50,000*l. per Ann.* on his Royal Highness for Life, *over and above* his *Cornish* Revenues; which his Majesty thought a competent Allowance, &c.

The *Great Man* was pleas'd to add, That his Royal Highness return'd a verbal Answer, desiring the Lords would lay him at his Majesty's Feet, expressing the utmost Duty for his Royal Person; but that as to  
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the Message, the *Affair was in other Hands.* He was sorry for it, or to that Effect.

He then enlarg'd upon the Words *pass'd Experience*, which had been made use of to shew the Necessity of complimenting the Crown with so large a *Civil List*, and took much Pains to prove, That tho' 100,000*l. per Ann.* was necessary for the Prince of *Wales*, in the late Reign, 50,000*l.* was enough for his present Royal Highness, and that the Crown could afford no more; concluding thus,

“ Gentlemen may call it, if they please, offering Advice to our Sovereign; but it is really bringing his Majesty and his eldest Son, as Plaintiff and Defendant before us: Our agreeing to the Question, would be a determining, That his Majesty had done Injustice to his eldest Son: It would be giving a Victory to the Son over the Father, which might prove, the *Lord have Mercy upon us!* the Destruction of us both. No Man can patiently bear an Enquiry into his Family-Affairs; no Father can easily forgive a Son for appealing to a higher Power: For *God's* Sake, let us stop in Time this breaching Gap, which may make Way for an Inundation to drown us all! Our agreeing to such a Question, might occasion a perpetual  
N n 4 Breach,

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Breach, an *Immedicable Vulnus*, though not, I hope, *Ense recindendum*."

The most material Parts of the Reply, were as follow:

"By the Regulation and Settlement of the Prince's Household, as made some time since by his Majesty himself, the yearly Expence comes to 63,000*l.* without allowing one Shilling to his Royal Highness for Acts of Charity and Generosity. By the Message now before us, it is proposed to settle upon him only 50,000*l.* a Year, and yet from this Sum we must deduct the \*Land-Tax, which at Two Shillings in the Pound, amounts to 5000*l.* a Year, we must likewise deduct the

\* This Article of the *Taxes* was so self-evident, that it was thought proper to run a Clause of Exception in the *Land-Tax Bill*, not only without the Knowledge of the *House*, but even of the *Speaker*, who always takes the utmost Care to prevent such Impositions; and it was discover'd in the *other House* by the blundering Manner of engrossing it. This afterwards occasion'd a very long and warm Debate in the *House of Commons*; and all that was urg'd in Justification of it was, *That it might prevent another disagreeable Debate upon this Head*; as if something of this Nature would certainly be mention'd, when the *Bill for the Jointure* should be brought in. By these Means, the *People* are farther loaded in their *Land Tax*, and otherwise, to supply the private Bounties of a very few, and without having the Merit of giving an Increase to the Allowance of his *Royal Highness*. Thus may the *People*, who bear the Burthen, be robb'd of the Thanks and Acknowledgment of the *Prince*; whilst it was done only to exonerate the *Civil-List*, at the Expence of the *Nation*, as too many Things have been done already. LETTER FROM A MEMBER.

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Sixpenny Duty to the Civil List Lottery, which amounts to 1250*l.* a Year, and also we must deduct the Fees payable at the *Exchequer*, which will amount to about 750*l.* a Year more; all which Deductions amount to 7000*l.* a Year, and reduces the 50,000*l.* a Year, proposed to be settled upon him by the Message, to 43,000*l.* a Year: Now, as his Royal Highness has no other Estate but the Duchy of *Cornwal*, which cannot be reckoned at the most above 9000*l.* a Year, his whole yearly Revenue can amount to but 52,000*l.* a Year; and yet the yearly Expence of his Household, according to his Majesty's own Regulation, is to amount to 63,000*l.* a Year, without allowing his Royal Highness one Shilling for the Indulgence of that generous and charitable Disposition with which he is known to be endued, to a very eminent Degree. Suppose then we allow him but 10,000*l.* a Year for the Indulgence of that laudable Disposition, his whole yearly Expence, by his Majesty's own Acknowledgment, must then amount to 73,000*l.* a Year, and his yearly Income, according to this Message, can amount to no more than 52,000*l.* a Year. Is this shewing any Respect to his Merit? Is this providing for his Generosity? Is it not reducing him to a real Want, even with respect

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respect to his Necessities, and consequently to an unavoidable Dependence, and a vile, a pecuniary Dependence too, upon his Father's Ministers and Servants? I confess, when I first heard this Motion made, I was wavering a good deal in my Opinion; but this Message has confirmed me; I now see that, without the Interposition of Parliament, his Royal Highness the Prince of *Wales*, the Heir Apparent to our Crown, must be reduced to the greatest Straits, the most insufferable Hardships."

"I come now to the last Question, and which I take to be indeed, the only Question in this Debate, which is, Whether it be possible for his Majesty to spare more than 50,000 *l.* a Year for his Royal Highness from the Civil List, as it now stands established? Let us remember now, 'twas acknowledged in Parliament, before the late *Gin Act* was passed, that the Produce of the whole Taxes, Excises, and Duties, appropriated to the Civil List, amounted to 818,000 *l.* a Year: I believe it will be admitted, That tho' 70,000 *l.* a Year granted by that Act to the Civil List, and made payable out of the Aggregate, or rather out of the Sinking Fund, does more than compensate the Loss of the Civil List sustained, by taking from it the Duties on Spirituous Liquors,

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Liquors, in which Case the Increase of the Excise upon Beer and Ale, occasioned by the preventing the Retail of Spirituous Liquors, must wholly be a net Profit to the Civil List: The Increase of the Excise upon Beer and Ale, if I am rightly informed, amounted for the very first Quarter, I mean from *Michaelmas* to *Christmas* last, to near 30,000 *l.* one Half of which goes to the Civil List; so that we may reckon the Civil List has got by the *Gin Act*, an Addition of at least 60,000 *l.* a Year; besides what is got by the Increase of the Wine-licence Duty, which every one knows has been greatly increased by prohibiting the Retail of Spirituous Liquors. Then, let us recollect, that a little before his present Majesty's Accession, the Civil List was discharg'd of 36,200 *l.* a Year in Pensions, which during the greatest Part of his Majesty's late Reign, were paid out of the Civil List; but ever since his Majesty's Accession, have been a Burthen upon, and paid out of the public Service. Let us add together these three Sums 818,000 *l.* 60,000 *l.* and 36,200 *l.* and they amount to 914,200 *l.* which, according to the highest Probability, we must allow to be the yearly Amount of the Civil-List Revenue, as now established, and which

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which is 114,000 *l.* a Year, more than was enjoyed by his late Majesty, even including all the particular Grants that were occasionally made to the Civil List in his Reign.

“ But, this is not all; his present Majesty has had one very extraordinary Grant of 115,000 *l.* made to the Civil List; and the 80,000 *l.* granted as a Fortune to the Princess Royal, may properly be said to have been an extraordinary Grant to the Civil List. Then, I must not forget another yearly Addition, which may be looked on as a very great Sum, considering from whence it comes, I mean a Sum of 40,000 *l.* a Year from *Scotland*, which is now a yearly Addition to the Civil List. I will not, indeed, take upon me to say, that the whole, or any Part of that Sum, is brought in Specie to *London*; but if it is laid out for the paying Pensions in *Scotland*, which must otherwise be paid yearly out of the Civil List Revenue, I may take upon me to say, it prevents an equal Sum from being sent yearly in Specie from *London*. From all which Considerations, I think it is evident, his present Majesty has above 100,000 *l.* a Year more than his late Majesty ever enjoy'd, and therefore we must conclude, he may easily spare 100,000 *l.* a Year for the Use of his Royal Highness, without any great Frugality or  
good

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good Management, and without contracting any Part of that Expence which was found necessary in the late Reign.”

Upon the Issue, the *Minister* was too mighty even for the *Heir Apparent*, by 234 against 204.

A like Motion was made in the House of Lords, where it was likewise defeated; but then it produc'd a Protest, which, among other noble Names, hath that of C—— subscribed to it; and which concludes with a Spirit worthy the Peerage of OLD ENGLAND, *viz.*

“ Lastly, We thought it more incumbent upon us to insist upon this Motion, for the Sake of this Royal Family, under which alone we are fully convinced we can live FREE, and under this Royal Family we are fully determined we WILL live FREE.”

Some time after this, a Motion was made by Mr. *Chancellor of the Exchequer*, That the Sum of One Million (out of the Produce of the *Sinking Fund*) should be granted towards redeeming the like Sum of the Encreased Capital of the *South Sea Company*, then commonly call'd, *Old South Sea Annuities*.

But this was objected to by the Gentlemen in the Minority, who took upon them to prove, That, if the public Good was regarded,

garded, and that impartial Justice which is due to all the public Creditors, the next Payment ought not to be applied to the *South-Sea* Stock, or Annuities.

“ With respect to the public Good, said they, or the Interest of the Nation in general, it has been granted, That if any of our Debts bore a higher Rate of Interest than the rest, that Debt would certainly be the most grievous to the Nation, and consequently ought to be the first paid off; and at the same time it has been granted, That there is a Debt of 1,600,000 *l.* due to the *Bank*, which bears an Interest of 6 *per Cent.* Is it not then evident, That this Debt of 1,600,000 *l.* ought to be the first to be paid off? But we are told, this Debt cannot be redeemed till the Expiration of their Term. I know it cannot; and I likewise know, we cannot come at the Redemption of this Mortgage, till after we have paid off the whole of the other Debts due to the *Bank*. Is not this a strong Reason for our paying off, as fast as possible, all the other Debts due to the *Bank*, in order to come at the Redemption of this Mortgage of 1,600,000 *l.* which is now the heaviest Mortgage this Nation groans under? And what still adds to the Weight of this Argument is, that by the Time we have paid off the other Debts  
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due to the *Bank*, and for which they have only an Interest of 4 *per Cent.* their Term will be expired, so that we can then redeem this heavy Mortgage without further Delay; whereas, if we do not now begin to pay off the other Debts due to the *Bank*, we cannot, even when their Time is expired, have it in our Power to redeem this Mortgage; because, by Agreement, we cannot redeem it till we have paid off all the other Sums due by the Public to that Company. Therefore, if we have any Regard to the public Good, we ought to apply every future Payment to the *Bank*, till they are entirely paid off, or at least, till they agree to take 4 *per Cent.* for this 1,600,000 *l.* as well as for the rest of their Fund, which would be a Saving of 32,000 *l. per Annum* to the Public, and a Saving that would greatly contribute towards enabling us to reduce all our public Debts to 3 *per Cent.* Interest.”

There is something so mysterious in the Funds, that but very few care to be at the Trouble of understanding them. The *Ministerial Blind*, therefore, is, in all such Cases, spread with more than ordinary Success; and we are scarce to wonder, that the Point before us was carry'd without a Division.

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The next great Object which excited the Attention of the House, was a Motion of Sir John Barnard's, for the Reduction of Interest, from 4 to 3 *per Cent.* which he founded upon the following obvious Facts and Reasonings,

“ Every one knows, That the Price of all our public Funds is now at a higher Rate than ever it was before, upon any reasonable Foundation: Every one knows, That even those public Securities, which bear an Interest of 3 *per Cent.* only, now sell at a Premium in *Exchange-Alley*; and I must be of Opinion, it would be an unpardonable Neglect in us, not to endeavour to take the Advantage of that unhappy Circumstance for the Benefit of the Public. I am persuaded there are few or none, who are willing to give a Premium for any 3 *per Cent.* Security, but would willingly lend his Money to the Government at the same Interest, if Books of Subscription were open'd for that Purpose, with an Assurance, That no Part of his Principal should be paid off for 14 Years; and therefore, I think, we ought to have such Books always lying open at the *Exchequer*, or some other convenient Place for taking in the Subscriptions of those who are willing to lend at 3 *per Cent.* in order

order to pay off the sooner such of the public Creditors as are not willing to accept of a lower Interest than *Four*. If this were done, it would convince all our public Creditors, who are now entitled to an Interest of 4 *per Cent.* that the Government is in earnest, and firmly resolved to pay them off as soon as possible; and as the only Contest among the public Creditors now is, which of them shall be the last in being paid off, 'tis more than probable, the far greatest Part of them would come in and subscribe what is due to them respectively, at an Interest of 3 *per Cent.* rather than run the Risk of being quickly paid off the Whole, or the greatest Part of their Capital, by means of the *Sinking Fund*, and the Money-Subscriptions at 3 *per Cent.*

“The natural Interest of Money must always depend upon the Proportion between the Quantity of Money ready to be lent at Interest, and the Quantity wanted to be borrow'd; so that public Loans of all Kinds, must tend towards enhancing the natural Interest of Money, and public Payments must as necessarily tend towards its Reduction. Therefore, from the present low Rate of Interest upon the public Securities, notwithstanding our being now very near as much in Debt as we were at the End of

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the War, I am sure I may venture to say, the natural Interest upon all Sorts of Securities would have been at, or below, 3 *per Cent.* if we had paid off the greatest Part of our old, without contracting any new Debt: And if we had done so, I am convinced, the Trade of this Kingdom would have been in a much more flourishing State than it is at present, and the Nation much better able to support its Friends, or avenge itself of its Enemies.

“ These, 'tis true, are but melancholy Reflections; however, they may serve for making us more circumspect in Time to come, and for making every Man contribute, with the greater Alacrity, towards whatever Sums may hereafter be thought necessary for the current Supplies, in order that the *Sinking Fund* may, for the future, be apply'd wholly to discharge the national Debt, and to relieve the People from those heavy Taxes they now groan under; for either of which Purposes, it will be made much more effectual, by a Reduction of the Interest payable to the *South-Sea* Old and New Annuitants, from 4 to 3 *per Cent.* if such a Thing can be brought about without any Danger to public Credit, or Breach of public Faith; and that this may, in all Probability, be done, is what I shall now endeavour

endeavour to demonstrate: That there are in this Kingdom large Sums, ready to be lent at an Interest of 3 *per Cent.* is evident from the ready Access the Government has for some time had, to the borrowing Money at that Interest for the yearly Supplies, and upon every new Fund that has been lately established: But this is still more evident from the high Premium now daily given for those public Securities, that bear an Interest only of 3 *per Cent.* Therefore, I think, it is reasonable to believe, That if Books of Subscriptions should be opened, the Money-Subscriptions would amount, at least, to *Two Millions*, and the whole *Million* to be paid to the *South-Sea* Old Annuitants at *Michaelmas* next, would, I believe, be subscribed into this new Fund; so that soon after *Michaelmas* next, the Public would have a Fund of *Three Millions* in ready Money, to pay off a Part of those Annuities, whose Proprietors should not appear willing to accept of an Interest for 14 Years certain, at the Rate of 3 *per Cent.* But I am in some Doubt, whether or no there would be Occasion for accepting of any Money-Subscription at all: Because every Man may, from the general Circumstances of our Affairs, find Reason to believe, and I have a particular Reason to believe, That a great Number of our Annuitants



tants are uneasy in their present Situation, and would be glad to accept of 3 *per Cent.* if they were assured of not being obliged to receive any Payment for 14 Years to come; and if one Third of them, or any Number above one Third, should readily come in, it would make it the immediate Interest of all the rest to come in and subscribe; because they would lose above 1 *per Cent.* yearly by the future Payments to be made from the *Sinking Fund*; besides the Trouble they will be annually put to, in receiving and replacing the partial Payments which would be made them from that Fund only; and besides, the Danger they would be in, of having the whole soon paid them by a large Money-Subscription.

“From what I have said, and the easy and obvious Calculations I have made, it is evident, That we may, in all Probability, before *Michaelmas* next, or very soon after, reduce the Interest upon all the *South-Sea* Annuities, both New and Old, from 4 to 3 *per Cent.* Interest, without any Danger to public Credit, or Breach of public Faith, which would make the *Sinking Fund* amount from thenceforth to above 1,400,000 *l.* *per Ann.* to be applied only towards redeeming the Capital of our several trading Companies. This would bring every one of them

them so much within our Power, that I am convinced we could then get every one of them to accept of 3 *per Cent.* Interest upon any reasonable Terms we had a mind to propose, which would be a new Addition to the *Sinking Fund*, of above 170,000 *l.* a Year: From which Time the *Sinking Fund* would amount to about 1,600,000 *l.* *per Ann.* and then we might venture to annihilate above *one Half* of it, by freeing the People from the Taxes upon *Coals, Candles, Soap, Leather,* and such other Taxes as now lie heavy upon our poor Labourers and Manufacturers, and thereby enhance their Wages in every Part of the Kingdom, but especially in the City of *London*; by which the prime Cost of all our Manufactures is so much enhanced, that it is impossible for our Merchants to sell them in foreign Markets so cheap, as Manufactures of the same Kind and Goodness are sold by the Merchants, even of those Countries, where the Interest of Money is as high as it is in this.

“The remaining Part of the *Sinking Fund* might then be applied towards paying off those Annuities and public Debts which now bear an Interest of 3 *per Cent.* only, and after that, towards diminishing the Capitals of our several trading Companies, till the Expiration of the Term of 14 Years to be

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granted to the Annuitants; at which Time the *Sinking Fund* would again amount to above a Million yearly, which would be sufficient for paying them off, and freeing the Nation entirely from ALL its public Debts in a short Time."

As this Proposal was laying the Axe to the Root of Ministerial Power and Influence, there was little Reason to believe it would be attended with the desir'd Success. Accordingly, it was at first demurr'd to, then refin'd upon by Alterations and Amendments; and at last render'd so unpopular, by the Artifices of those in Power, that, after long and violent Debates, it came to nothing.

We are now to touch upon the *Supply*, which, tho' voted and agreed upon, was not completed in the Committee of *Ways and Means*, when Mr. *Chancellor of the Exchequer* entertained the House with the following political Problem.

"By the Resolutions we have already come to, in the Committee of Supply, it will, upon Calculation appear, we have granted his Majesty for the Service of the ensuing Year, a Supply of about 2,025,000 *l.* Now as the *Land-Tax* and the *Malt-Tax*, which we have granted, do not both together amount to 1,700,000 *l.* there will be a Defi-

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Deficiency of near 400,000 *l.* which must be provided for, either by increasing some of the Taxes we have already, or by granting some new Tax, or by taking so much from the *Sinking Fund*, or lastly, by the Method I have thought of, and which I shall presently explain to you. As for increasing any of the Taxes we have already, or imposing a new one, I do not think we can make good the Deficiency by either of these Ways; because I do not think the People can *well bear* any *additional* or *new Tax*, and the attempting of any such Thing, may alienate the Affections of great Numbers of People from our present happy Establishment, and may contribute towards increasing those Mobs and Tumults, which have of late been so frequent all over the Kingdom: And as for the *Sinking Fund*, the growing Produce thereof is already *appropriated* towards paying a *Million* to the *South-Sea* old Annuitants; so that we cannot make good this Deficiency out of the growing Produce of that Fund, and I do not think it would be proper to *mortgage* any Part of the *Sinking Fund* for this Purpose.

There is, therefore, in my Opinion, no possible Way left for making good this Deficiency but that I have thought of, which

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is not by *increasing* any PRESENT TAX, OR IMPOSING any NEW ONE, but by REDUCING an old Tax to one Third of what it is at present. This may, at first View, seem to be a *Paradox*; but when I have explained myself, the Mystery will vanish, and every Gentleman will, I hope, approve of the Method I am to propose. Every one knows that, ever since the Year 1699, we have had a Duty of no less than 36*s.* a *Barrel*, upon all *Sweets* made for Sale, within this Kingdom, which is so high a Duty, that it has in some Measure, entirely prevented the Making of any such Liquors for Sale."

He then proceeded to shew, That the Reduction of this Duty upon *Sweets*, from 36*s.* to 12*s.* PROVIDED MADE WINES, which had *never* yet paid any Duty, were for the future, to be rendered *exciseable* under the Head of *Sweets*, would so far increase the Consumption of those Commodities, that by the Duty arising therefrom, the Supply might be rendered complete.

"For, if we suppose, continued he, That the future Produce of this Duty will amount to 30,000*l.* a Year, as it has never heretofore produced, I believe, 30*l.* a Year, the Increase upon it will then be a sufficient Fund for borrowing as much as will be necessary for making good the Supplies you  
have

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have granted for the Service of this ensuing Year."

There is no need to quote the Arguments which were made use of to explode this notable Project; for it explodes itself: But however ridiculous and contemptible it may appear to Posterity, it had such Weight with the House, that the *Minister* carry'd his Point upon every Division, except one; which was occasion'd by a Clause to exempt the Wines, which were the Growth of *English Vines*, from being number'd among *Sweets*.

The next capital Proceeding of this Session that I shall mention, is the *Home Attempt* which was made, not only to set a Mark on the City of *Edinburgh*, for conniving at the Affront which had been offer'd to her Majesty's Regency, by the Mob's hanging up Capt. *Porteous*, while under the Protection of her Royal Reprieve, but to imprison its principal Magistrate, demolish its Gates, deprive it of its Guards, &c. But the Bill, which was calculated to answer all these just and merciful Ends, met with such violent Opposition in every Step, that the C—t was at last oblig'd to compound for the disabling *Alexander Wilson*, Esq; the Lord Provost, from holding any Office in  
Great

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*Great Britain*, and the laying a Fine of 2000 *l.* on the City.

And for a finishing Stroke, towards the very End of the Session, a Bill was brought in to restrain the Licentiousness of the *Stage*, in Resentment for some free Strokes of Satire, which had from thence been levelled at the *Minister*, or rather at Corruption in general. As it was but one Remove more from the *Stage* to the *Press*; as the very same Battery which was play'd off against the First, might be speedily turn'd against the Last, every \* Lover of Truth and Liberty, in both Houses, took the Alarm; and laboured in earnest to serve their Country from the Infamy of such a \*\*\*. But the Struggle was in vain; the *Minister* made a Point of it; and he was ever invincible.

June 21. His Majesty clos'd the Scene with a gracious Speech; in which the following are the most remarkable Particulars,

“ I return you my Thanks for the particular Proofs you have given me of your Affection and Regard to my Person and Honour; and hope, the *Wisdom* and *Justice* which you have shewn upon some *extraor-*

\* See the admirable Speech of the Earl of *Chesterfield* on this Occasion in *Timberland's* History of the House of Lords.

*dinary*

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*dinary Incidents*, will prevent all Thoughts of the like Attempts for the future. The Conduct of this Parliament has been so *uniform* in all your Deliberations upon public Affairs, that it would be as unjust not to acknowledge it, as it is unnecessary to enumerate the several Particulars.”

“ You cannot be insensible, what just Scandal and Offence the *Licentiousness* of the present Times, under the Colour and Disguise of *Liberty*, gives to all honest and sober Men, and how absolutely necessary it is to restrain this *excessive Abuse*, by a due and vigorous Execution of the Laws,” &c.

Among the remarkable Incidents which happened during the Recess, we are to reckon the Prince of *Wales's* removing the Princess his Consort from *Hampton-Court*, where the King and Royal Family then resided, to *St. James's*, when her Royal Highness was under the Pains and certain Indications of immediate Labour, without giving their Majesties any Notice of his Departure. Upon which Occasion, his Majesty in his \* Message to his Royal Highness, of *September 10*, was pleas'd to express himself as follows,

“ This extravagant and undutiful Behaviour, in so essential a Point as the Birth of

\* See the Letters printed, about this Time, by Authority.

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an Heir to my Crown, is such an Evidence of your premeditated Defiance of me, and such a Contempt of my Authority, and of the natural Right belonging to your Parents, as cannot be excused by the pretended Innocence of your Intentions, nor palliated or disguised by specious Words only."

"But the whole Tenour of your Conduct, for a considerable Time, has been so entirely void of all real Duty to me, that I have long had Reason to be highly offended with you."

"And until you withdraw your Regard and Confidence from those by whose Instigation and Advice you are directed and encouraged in your unwarrantable Behaviour to me and to the Queen, and until you return to your Duty, you shall not reside in my Palace; which I will not suffer to be made the Resort of them, who under the Appearance of an Attachment to you, foment the Division which you have made in my Family, and thereby weaken the common Interest of the Whole."

"In this Situation I will receive no Reply: But when your Actions manifest a just Sense of your Duty and Submission, *That* may induce me to pardon, what at present I most justly resent."

In

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"In the mean time, it is my Pleasure that you leave *St. James's* with all your Family, when it can be done without Prejudice or Inconvenience to the Princess. I shall for the present leave to the Princess the Care of my Grand-daughter, until a proper Time calls upon me to consider of her Education." Sign'd G. R.

To this may be added, That his Royal Highness having attempted to make his Application to the Queen, the Earl of *Grantham*, her Majesty's Chamberlain, received Orders, *Sept. 15*, to return the following Answer, directed to Lord *Baltimore*.

"The Queen is very sorry, that the Prince's Behaviour has given the King such just Cause of Offence: But thinks herself restrained by the King's last Message to the Prince, from receiving any Application from the Prince upon that Subject. I am,

*My Lord, your Lordship's, &c.*

GRANTHAM."

How long her Majesty continued in this Disposition, we must not take upon us to determine. On the 20th of *November* following, she was call'd from hence, and left behind her a Character, which was set forth in a very pompous Manner, both by  
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one Dr. *Allured Clark*, and the House of Commons.

To return to our *National Affairs* :

During all this Interval, the *Spaniards* having continued their Depredations, our Ministers themselves were at last made sensible of the miserable Situation into which their Ignorance or Connivance had reduced us: But they continued only to *complain* of the *Excesses* of the *Guarda Costa's*: Nay, they were so ignorant as to mention the Regulations about *visiting* in the Treaty of 1667, as extending to our Commerce in *America*, as well as in *Europe*: They demanded, That *some Moderation* might be used by the *Spaniards* in the Exercise of their injurious Pretension so long submitted to, and they thought of *Compounding* to have it *softened*: They would even have *left this Composition*, in a Case where all Composition must be deemed scandalous as well as ruinous, to the *Option of Spain*; for they \* desired, ' That the *Guarda Costa's* Commissions (which are given by the *Spanish* Governors) should *either* be absolutely *recalled*, or *so limited* as not to leave them at Liberty to act in this manner.' That is, in effect, they desired, That *at least somewhere* the

\* D. of N. Lett. Dec. 19. 1737.

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*British* Ships might sail without Danger, that *some Limits* might be given, *some small Quantities* of *American* Goods licensed, *some Trade* in *America* allowed, and that a *Spanish Cedula* might (instead of a Convoy) secure the *British* Ships in their Passage from *Britain* to her Colonies. And what was this, but to acknowledge an absolute Dominion in the Crown of *Spain* over the *American* Seas? The King of *Great Britain* must have submitted, in this Case, to such an Indignity in the *West Indies*, as private Merchants, *British* and *Dutch*, would never submit to in the *East Indies*, when the *Portuguese*, above a Century ago, pretended to suffer no Navigation there, except under their Passports.

Yet thus our Ministers proceeded, and which is almost incredible, after they had *confessed* that they knew the *Spanish* Complaint of illicit Trade, was an evasive Answer only; and after that they had *lamented*, That in all the *Spanish* Cedulas, there was no getting rid of that clogging Clause. A clogging Clause, indeed, it had proved in the Reparation justly due to our Merchants: A Clause, which our Ministers might have perceived (as every body else did) had rendered all the Cedulas obtained, in particular Cases, ineffectual, and must

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continue to do so, as long as the Point, upon which the whole Dispute turned, remained undecided.

But this is not all; something more monstrous remains to be told. The *Expedients* they proposed were pitiful and mean, dishonourable and destructive. But the *Admission* they made by their Declaration in 1732, was worse. No Enemy of *Great Britain* would have urged any thing more to our Disadvantage, in the Course of such a Negotiation. For in that Declaration, (as if they meant to furnish new Reasons to the *Spanish* Minister to refuse, what they lamented they could not obtain) they not only admitted formally that a most notorious illicit Trade was carried on by the *British* Subjects in *America*, but that these Traders were protected in this Breach of Treaty by the *British* Ships of War. Such an Admission could not have been made at any Time, nor in any Manner, by Ministers who knew what they were about, and who had a National End in their Negotiation; or, if it had slipped inadvertently from them, yet as the supposed Protection of *British* Ships of War to *British* Smugglers, could not be more injurious to the *Spaniards* than their Pretension is to the *British* fair Trader, and to the Freedom of our Navigation,

gation, the Prohibition of the First ought to have been attended, at least, by a Disavowal of the Second. Nothing of this Nature was done. Our Ministers gave up the Cause of their Country often; they asserted it, never.

However, at last, in *January* 1737-8, they perceived, or seemed to perceive, the whole Ridicule of the *Spanish* Complaint, as it was urged for a Reason to support the Pretensions of that Crown: They complained then \*, 'That the Preventing the  
' *British* Subjects from carrying on an illicit  
' Trade, was made a Sort of Condition of  
' the King of *Spain's* not suffering Ships,  
' acting by his own Commissions, to seize,  
' plunder, and detain *British* Ships, which  
' had not been concerned in carrying on  
' any illicit Commerce.' Now, to make  
That a Condition of not interrupting our  
Navigation, was to use this Nation as the  
most impotent State never was used by the  
most powerful. To demand it at all, was  
not less ridiculous, than if we should demand  
of the Court of *France* to hinder the  
Smugglers from infesting our Coast. But to  
insist upon it as the Court of *Spain* had

\* Lett. D. of N. *January* 1737-8.

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done, ought to have convinced our Ministers long before, of what they were at last forced to own \*, 'That they have little Hopes of engaging the *Spaniards* to set aside the Methods that have been hitherto followed, in Consequence of the original Laws and Institutions of the *Indies*.'

In this Manner was *Britain*, who had been lately one of the most respected Powers in *Europe*, negotiated by her Ministers into a Despair of recovering, from one of the weakest Powers, the plainest and most essential of her Rights.

And to this Condition were Affairs reduc'd, <sup>1737-8.</sup> *Jan. 24.* When, notwithstanding the recent Death of his Royal Consort, his Majesty had the Goodness to open the *Fourth Session* in Person, with a most gracious Speech to both Houses; which, being of the *laconic* kind, will bear to be inserted entire.

*My Lords and Gentlemen,*

" I have called you together for the necessary Dispatch of the *public Business*, which, I hope, will be carried on with that Prudence, and Expedition, which becomes the Wisdom of Parliament."

† Mr. K. Lett. *January 17*, 1737-8.

Gentle-

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*Gentlemen of the House of Commons,*

" I have ordered the Estimates for the Service of the current Year to be laid before you; and the *Readiness*, which I have always found in you to make the necessary Provisions for the Honour, Peace, and Security of my Crown and Kingdoms, leaves me no Room to doubt of the same Zeal, Affection, and due Regard for the Support of my Government, and the public Safety."

*My Lords and Gentlemen,*

" I hope you are met together in a Disposition to lay aside all *Heats* and *Animosities*, which may unnecessarily protract this Session. I am determin'd, That the Affairs of the Public shall suffer no Delay, or Interruption, from me, upon any Account whatsoever."

It hath been already hinted, That the House of Commons thought it not beneath them, to strew the Flowers of Court-Rhetoric on the Ashes of the *all-accomplished Queen Caroline*.—But so high a Strain of Loyalty deserves more than a bare Mention; and the Address itself, which contains these monumental Odours, like *Pliny's Panegyric* upon *Trajan*, ought to be handed down to Posterity, as a Master-piece, to be imitated, no doubt, often; to be equal'd, never.

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After



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After an introductory Compliment of humble and *grateful Thanks*, our supple Representatives thus proceeded,

“ To speak our *utmost Sense* of the *great Loss* your Majesty and these *Kingdoms* have lately sustained, would be to revive and aggravate, what we wish to alleviate and dispel; but we hope your Majesty will pardon the *Intrusion* of our sincere Condolance, when you reflect on the double Duty, by which we are bound, as affectionate Subjects to your Majesty, and as Representatives of the People of *Great Britain*, not to pass over in Silence this Object of *your Distress*, and *their* universal Mourning.

“ When we reflect on the amiable private Character of that great Princess, on her personal and domestic Merit, as an *indulgent* and *instructive* Parent, a mild and gracious Mistress; or, with Regard to your Majesty, as uniting in one, all the different Characters of the most pleasing as well as constant Companion; the most able as well as the most faithful Friend; the most tender as well as the most *observant Wife*; when we reflect on these Circumstances, we mourn her Loss, as the *greatest* with which your Majesty and your Royal House could have been afflicted: But when we turn our Thoughts to her *great* and *public* Virtues, her

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her Love of *Justice*, her *Attachment* to the Laws and Principles of this wise and happy *Constitution*, her extensive Charities, her boundless Benevolence, her Succour to Distress, her Favour to Merit, her Lenity to all. When we consider these Parts of her high Character, it is no longer for particular and personal Causes that we grieve; it is a *national Loss* we lament.

“ If a *due Submission* to superior Authority, and a *due Exercise* of Power, when committed to her Hands, are the strongest Marks of Excellence in both Parts of Government; and, if these justly claim Praise and Admiration, how can we sufficiently praise or admire her Conduct, either in the *Presence* or *Absence* of your Majesty? In the first we saw the most *constant Compliance* with your *Will*; in the last, the *true Representation* of him, with whose delegated Authority she was vested; FOR ALL HER ACTS WERE GREAT, AND WISE, AND GOOD; alternately we beheld her Submission in this Character, and felt her Mildness in the other; and, great as the Distance may seem from Command to Subjection, the Transition to her was easy, whose *Abilities* were equal to any *Situation*, and whose *Temper* could conform to ALL; as *resigned* to the *Duties* of a *Queen-Consort*, as capable of the

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High

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High Office of *Guardian of the Realm*; as ready to *submit*, as able to *command*, and equally an *Example to all Sovereigns*, when she ruled, and to all *Subjects*, when she obeyed.

“ And though your Majesty’s just and great Concern on this Occasion, would perhaps receive no Extenuation from the Comfort your faithful Commons might vainly try to administer; yet, that nothing may be wanting on our Parts, which may contribute to the making your Majesty’s Government (THE SOURCE OF OUR PROSPERITY!) as easy to yourself, as it has ever been to your Subjects; we do assure your Majesty, that we will not only carefully avoid all *Heats* and *Animosities*, but will, with the greatest Readiness, effectually raise the *Supplies* necessary for the Service of the current Year; and, with a Zeal and Affection becoming the Representatives of a *grateful* People, make all *necessary Provisions* for the Honour, Peace, and Security of your Crown and Kingdoms,” &c.

So much for Compliment; and as to Business it went on in the usual Course, of Supplies, Fleets, and Armies; which were all granted on Demand, without the least Abatement: *For such was the Minister’s Pleasure.*

But

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But tho’ his Mandates were obey’d, they were not undisputed; on the Army, for Example, tho’ now in a manner authorized by the pass’d Experience of so many successive Sessions, when a Motion was made for continuing it on the same Footing upon which it stood the Year before, the L—d N. S. among a Variety of other excellent Matter, had the Spirit to expatiate in the following alarming Manner:

“ Give me leave, Sir, to suppose, that the House of Commons, in some future Reign, should enter into a strict Enquiry, with respect to some of the Measures of the Administration; that, upon the Issue of such an Enquiry, they should order some of the Ministers to be impeached; and that those Ministers, for their own Preservation, should advise the King to dissolve the Parliament, and seize upon all our Funds: The most powerful Argument an honest Man at Court (if there should be any such) could use against this Advice, would be to say: ‘ Sir, if you do this, your People will take Arms against you; the City of *London* will rise in Arms, and perhaps tear you as well as your Ministers to Pieces.’ Would not it be a good Answer to say? ‘ No, Sir, you have nothing to fear from your People; they are unaccustomed to Arms, and un-

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‘acquainted with military Discipline; you  
 ‘have a numerous and well-disciplin’d  
 ‘Army to depend on; and if any of the  
 ‘Officers should hesitate in the least to obey  
 ‘your Orders, you may have them imme-  
 ‘diately shot, and give their Commissions  
 ‘to their Serjeants or Corporals: You may  
 ‘protect your own Honour, and the Lives  
 ‘of your faithful Servants, by means of  
 ‘your Army; whereas, if you make a Sa-  
 ‘crifice of any one of us to a factious Par-  
 ‘liament, you do not know when or where  
 ‘they will stop.’ This, Sir, would certainly  
 be the Answer that would be made by  
 guilty Ministers; and I must leave Gentle-  
 men to consider, what an Effect it might  
 have upon a weak King, and a guilty Cab-  
 inet Council.

“Now, Sir, give me leave to suppose,  
 what I hope never shall happen, That any  
 future weak King should follow such a  
 wicked Advice: What Remedy could the  
 People have? What Method could they  
 take for vindicating their Liberties and Pri-  
 vileges? Would it be possible to contrive  
 any other Method than that of open Force?  
 And in the Circumstances the Nation is  
 now in, can we suppose that such a Method  
 would be practicable, if the Court had an  
 Army of 18 or 20,000 well disciplined mer-  
 cenary

cenary Troops to depend on? It signifies  
 nothing to say, That the Mutiny-Act would  
 expire; or that the Land-Tax and Malt-  
 Tax-Acts would expire; and that, therefore,  
 the Court could not keep the Army in Or-  
 der, nor be able to support the public Ex-  
 pence, and pay the yearly Interest growing  
 due to the Creditors of the Public: The  
 Court would immediately set up the Doc-  
 trine already too frequently talked of by  
 some unthinking Men, ‘That the People  
 ‘were become so factious and seditious,  
 ‘there was no governing them but by arbi-  
 ‘trary Power; and that therefore it was be-  
 ‘come necessary to give the Force of a Law  
 ‘to his Majesty’s Proclamation.’ This Doc-  
 trine would be propagated thorough the  
 Kingdom, by the Placemen and Officers  
 almost of every Rank and Degree; it would  
 be greedily swallowed, I believe, by most  
 of those called Soldiers of Fortune in the  
 Army; and I am afraid most Men would  
 chuse to submit patiently to an Evil, for  
 which they could not, in all human Proba-  
 bility, see any Remedy, and which there  
 would be great Danger in opposing. The  
 Mutiny-Act, the Land-Tax-Act, and the  
 Malt-Tax-Act, would be continued by Pro-  
 clamations: And what Soldier would dare  
 to dispute the Continuance of the first, if  
 imme-

immediate Death were to be the certain Consequence of every such Obstinacy, or Mutiny, as it would then be called? What landed Gentleman, or what Master, would refuse paying his Quota of the Land-Tax, or the Malt-Tax, if the Collectors and Officers were every where to come attended with a Troop of Dragoons, or a Company of Foot? Even the Interest payable to the Creditors of the Public, upon those Debts that were contracted to preserve our Liberties, would be made Premiums for enforcing the Measures of the Court; for, if the Court could pay, or refuse to pay Interest to whomsoever they pleased, we may depend on it, they would pay no Interest but to such as shewed themselves peaceable, obedient and loyal Subjects.

“ Thus, Sir, I think it must appear, That without a Standing Army, our Constitution cannot possibly be irrecoverably overturned; and that with a numerous Standing Army, it may be in the Power of the Court to overturn it whenever they have a Mind.”

A great many other able Members distinguished themselves on the same Side of the Question; but when the Speeching was over, it appear'd the Army had the best of the Argument, by 249 against 164.

It

It is needless, and would be endless, to trace every minute Circumstance, in which the Interest of the Public was made subservient to the Views of those who consulted nothing but *their own*: In every Circumstance, however minute, this was almost uniformly the Case; as if the very Being of Parliaments depended on their doing the Drudgery of the Court.

As to the Land and Malt-Taxes, the Mutiny-Bill, and the Use and Application of the Sinking Fund, the Reader, no doubt, by this Time, has learn'd to consider them as the VAILS of the Administration, and, therefore, to be ask'd only for Form's Sake.

There was, however, yet one Point in which it might be supposed the Nation had still some Chance to get the better of the Administration, and that was the Affair of *Spain*; the negotiating Part of which, we have already explain'd.

But while we only employ'd Commissaries, Embassadors and Couriers, the Court of *Madrid* chose the more decisive Way of acting by *Guarda Costa's*, as usual. In a Word, they continued to take our Ships, and make Captives of our Seamen with as little Ceremony and Danger as ever.

But tho' our Ministers still preach'd up *Non-Resistance*, the People could not be prevail'd

vail'd upon to relish the Doctrine: On the contrary, the Merchants of *London* and *Bristol* set forth their Grievances in Petitions to Parliament; as did, likewise, the Owners of several Ships; upon which, the House once more condescended to grant a Day or Two's Attention to the Cries of the People: In consequence whereof, a Call of the House was order'd, Papers were demanded, and *some* were granted; the suffering Merchants were heard at the Bar of the House, and having produc'd fatal Proofs, that their Complaints were not without Foundation, Mr. *Pulteney*, as prime Advocate for the Nation, entertain'd the House with a very elaborate, pathetic, and animated Speech; in the Course of which, he made the following Propositions, or Motions, to the Committee, *viz.*

“ That it is the Opinion of this Committee, That it is the natural and undoubted Right of *British* Subjects, to sail with their Ships on any Part of the Seas of *America*, to and from any Part of his Majesty's Dominions; and that the seizing and confiscating such Ships, as are not sailing and trafficking in the Havens and Ports which have Fortifications, Castles, Magazines, or Warehouses, or in other Places possessed by the Subjects of the King of *Spain*, is contrary to Equity

Equity and Justice, and a manifest Violation of the Treaties subsisting between the Two Crowns.

“ That it is the indisputable Right of the Subjects of *Great Britain*, to carry in their Ships all Sorts of Goods, Merchandize, or Effects, from one Part of the *British* Dominions, to any other Part of the *British* Dominions; and that no Goods, Merchandize, or Effects so carried, are by the Law of Nations, or any other Treaty subsisting between the Two Crowns, to be deemed or taken as Contraband Goods; and that the Searching of such Ships on the open Seas, under Pretence of finding Contraband Goods, is highly injurious to the Trade of this Kingdom; a Violation of the Law of Nations, and an Infraction of the Treaties subsisting between the Two Crowns.

“ That it may be resolved, That the Subjects of *Great Britain* did hold, and possess Lands in the Province of *Yucatan* in *America*, antecedent to, and at the Time of, the Treaty of 1670; which Treaty confirmed the Right, to every contracting Party, of such Lands or Places, as Either did at the Time hold and possess: And that the Subjects of *Great Britain* then had, and have at all Times since claim'd, a Right of cutting Logwood in the Bay of *Campechey*, and enjoyed the

the same, without Interruption, till of late Years: Which Right seems further particularly secur'd to us, by the Manner in which the first Article of the Treaty of Commerce at *Utrecht*, confirms the Treaty of 1670, with these remarkable Words; — ' Without  
' Prejudice to any Liberty or Power, which  
' the Subjects of *Great Britain* enjoyed, ei-  
' ther through Right, Sufferance, or Indul-  
' gence.'

" That the attacking of a Fleet of Ships gathering Salt in the Island of *Tortugas*, then under Convoy of one of his Majesty's Ships of War, by two Men of War belonging to the King of *Spain*, firing on the Convoy, and taking four of the said Ships, was a notorious Infraction of the Convention sign'd at *Madrid*, December 14, 1715, and a high Insult on the Honour due to the Flag of *Great Britain*."

But these Resolutions favouring rather too much of the *unchristian Temper* of Revenge, which the *Minister* seem'd resolv'd to subdue, he not only, in a long and artful Speech, endeavour'd to make them appear both impolitic and unnecessary, but determin'd to take off their Edge by the following Qualifyer or Amendment, as he chose rather to call it.

" That

" That the Freedom of Navigation and Commerce, which the Subjects of *Great Britain* have an undoubted Right to, by the Law of Nations, and which is not in the least restrained by Virtue of any of the Treaties subsisting between the Crowns of *Great Britain* and *Spain*, has been greatly interrupted by the *Spaniards*, under Pretences altogether groundless and unjust. That, before and since the Execution of the Treaty of *Seville*, and the Declaration made by the Crown of *Spain*, pursuant thereunto, for the Satisfaction and Security of the Commerce of *Great Britain*, many unjust Seizures and Captures have been made, and great Depredations committed by the *Spaniards*, which have been attended with many Instances of unheard-of Cruelty and Barbarity. That the frequent Applications made to the Court of *Spain*, for procuring Justice and Satisfaction to his Majesty's injured Subjects, for bringing the Offenders to condign Punishment, and for preventing the like Abuses for the future, have proved vain and ineffectual; and the several Orders or Cedula's, granted by the King of *Spain*, for Restitution and Reparation of great Losses sustained, by the unlawful and unwarrantable Seizures and Captures made by the *Spaniards*, have been disobeyed by the *Spanish*

*nish* Governors, or totally evaded and deluded. And that these Violences and Depredations have been carried on to the great Loss and Damage of the Subjects of *Great Britain* trading to *America*, and in direct Violation of the Treaties subsisting between the Two Crowns."

But however expedient this Amendment was to him, it proved very unpalatable to those who opposed him; and Mr. *W. Plumer*, in particular, concluded his Speech with these remarkable Reasons, why it ought to be rejected, *viz.*

"I shall conclude, Sir, with observing, That the Resolution, as it will stand by Means of the honourable Gentleman's Amendment, or rather the new Resolution he has proposed, will, upon Examination, appear to be in the same Terms with the Answer, which our Ministers have sent to the last *Spanish* Memorial; from whence it will of course be supposed, That the Resolution of this House was dictated by the same Person that drew up that Answer; and I cannot think it consistent with the Honour and Dignity of this House, to give People without Doors any Shadow of Reason for suspecting, That the Resolutions of this House are dictated by our Ministers of State; for in all our Resolutions, but especially upon

on the present Occasion, we ought to speak our own Sense, the Sense of those we represent, the Sense of the Nation, and not the Sense of Ministers."

But these very Reasons, instead of prevailing upon the House to assert their Independency, seem to have had a quite contrary Effect: Ministerial Authority was held the only Authority; and so the Amendment was allow'd to pass without a Division.

An Address, however, was agreed upon, That his Majesty would use his Royal Endeavours with his Catholick Majesty to obtain effectual Relief for his injured Subjects; and to convince the Court of *Spain*, that his Majesty can no longer suffer such constant and repeated Insults to be carried on, to the Dishonour of his Crown, and to the Ruin of his trading Subjects." To which his Majesty \* was graciously pleased to answer, *I am fully sensible of the many and unwarrantable Depredations committed by the Spaniards, and you may be assured I will make Use of the most proper and effectual Means that are in my Power, to procure Justice and Satisfaction to my injured Subjects, and for the future Security of their Trade and Navigation.*

\* April 7, 1738.

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The House of Lords having likewise taken the Affair into their Consideration, presented an Address to his Majesty, more explicit, but to the same Effect, and received an Answer to the same Purpose.

During the whole Progress of this Affair, it is to be remember'd, that the *Minister* acted more like a *Spaniard* than an *Englishman*; treating the First as Friends, and the Last as Enemies: And even now, when forced to humour the People with a Prospect, however distant, of having their Losses repaired, and their Wrongs redress'd, he resolv'd to gratify his own Resentment first, and make That which was their Sin their Punishment.

Accordingly, tho' already resolv'd not to draw the Sword, as yet however, he made a Demand of an additional 10,000 Seamen, 10,000 having been already granted, and swell'd the Supply, for all the Items of the Year, to Three Millions Seven Hundred and Fifty Thousand Pounds.

But notwithstanding he was thus arm'd at all Points, when a Bill was brought in for the Encouragement of our Seamen, which appear'd to be not only highly reasonable in its own Nature, but in a manner necessary, in case of a Rupture with *Spain*, he

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so managed, that the Bill was dropt, on a Division of 106 against 75.

Thus the *necessary Business* of the Session being dispatch'd, *May 20*, his Majesty clos'd the Scene with a gracious Speech of Thanks, &c. which concludes with the following Paragraph.

*My Lords and Gentlemen,*

“ Agreeable to what hath appeared to be the concurrent Opinion of both Houses of Parliament, I have given Orders to *repeat*, in the strongest and most pressing Manner, my *Instances* at the Court of *Spain*, for obtaining Satisfaction for the many Injuries and Losses sustained by my trading Subjects in *America*, as well as an effectual Security of their Rights for the future; and I hope, from the *Justice* and *Equity* of the Catholic King, to procure such Satisfaction and Security, as may preserve the Peace, and establish a *free* and *uninterrupted* Exercise of Navigation and Commerce, mutually between the Subjects of both Crowns, pursuant to our Treaties, and the Law of Nations.”

As this Contest with *Spain* was now become the principal Object of the public Attention, it is proper to throw all the Lights upon it, which have hitherto occurred; at once to justify the Nation, and expose

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pose the Measures by which they were deluded and betray'd.

Be it known, then, that the Pretension of the *Spaniards* was now become not only too plain to be winked at any longer, but was grown up into a supposed *Right*, which they asserted as directly as they could assert any the most undisputed Right belonging to their Crown or Nation. The *Spanish* Minister, *Monf. de la Quadra*, in his Answer\* to a Memorial sent from *England* with a Multitude of Cases, of Ships lately taken by *Guarda Costa's*, openly asserted, 'That the only Navigation the *British* Subjects can claim, in the *West-Indies*, is That to their own Colonies, while they steer a *due Course*, and that their Ships are liable to Seizure and Confiscation, if it can be proved that they have changed their Rout without Necessity.' This Pretension, the Child of our compliant Ministers, appeared now so terrible in its full Growth, that it frightened its Parents: In the Draught of a Letter † laid before Parliament, as intended to be sent to the *Spanish* Minister, our Ministers complained of it as 'a most extraordinary and inadmissible Demand, not to be supported even on

\* February 28, 1738.

† Draught sent March 17, 1737-8.

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' the Supposition of the Sovereignty of *Spain* in the *American* Seas. But such a Dominion, they said, was what the King of *England's* Predecessors never knew, and what he could never submit to.'

When the Matter was brought to this Issue; when the concurrent Sense of the King, the Parliament, and the Nation, was declared against the Pretension of the *Spanish* Court, so long connived at, and favoured by ours, and, in Truth, against the very Principle and Method of Negotiation, which our Ministers had hitherto pursued, a powerful Fleet was fitted out; our first Minister declared, That even he should be ashamed to negotiate any longer; and the People, in general, believed, That the Spirit of the Nation would recover, what the Pusillanimity of the Administration had lost.

But, instead of sending this Fleet to the *West Indies*, it was stationed in the *Mediterranean*. The Summer was spent in Inaction on our Part, for the *Spaniards* continued their Depredations with great Activity, and the Winter was opened with the News, That a Convention would be signed between the Crowns of *Great Britain* and *Spain*: The Contents of which were, at first, with great Industry, concealed.

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But we must not confine ourselves to the *Spanish* Affair only: This Summer became remarkable for an *Electoral* Measure in the *North*, which deserves some Notice, for Reasons, that the Fact itself will very sufficiently explain.

*Hanover* had not only taken a Fancy to, but found an Opportunity to make the \* Purchase of, a certain reversionary Right to the poor little Bailiwick of *Steinborst*, upon the Extinction of the Male Line of Messieurs *de Wedercop*. To this End a Treaty was concluded between his Majesty and the D. of *Holstein*, June 14, 1738, whereby the Duke transfers to him all Rights and Claims for 30,000 Crowns: Unluckily, *Denmark* pretended to the same Rights and Claims which had thus been assigned by *Holstein*, together with yet other new acquir'd Titles, deriv'd from certain Transactions which had pass'd between that Court and the *Wedercops*: And finding, that *Hanover*, without any Regard to these Pretensions, design'd to be the first Occupiers, not only sent a Detachment of thirty Dragoons, who got Possession of it, but immediately publish'd a Manifesto, setting forth its Rights, &c.

\* See a Pamphlet call'd, *A Farther Vindication of the Case of the HANOVER TROOPS.*

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Upon this the REGENCY of HANOVER, in support of the Rights and Honour of the King of GREAT BRITAIN, as is set forth in their Information, dispatched 200 *Hanoverians* to dislodge the *Danes*: A Fray ensued, in which three *Hanoverians*, the *Danish* Officer, and one Soldier, fell: This was follow'd by a long and curious Paper War, which continued, to the no small Diversion of *Europe*, till all was happily adjusted, by a Treaty concluded at *Hanover*, March 5, 1739, N. S. By the first Article of which, the KING of ENGLAND declares, *That he never had the least Intention to offend his Danish Majesty; and that what had happen'd was to be imputed to unlucky Circumstances and Mistakes:* By the other Articles, the KING of ENGLAND was to withdraw his Troops, demolish his Works, and put every Thing in *statu quo*: And lastly, three Methods of deciding this whole Affair, was agreed to: His *Danish* Majesty to have the Choice of them: And, at last, a definitive Convention was concluded between them, by which *Denmark* makes an absolute Cession of all its Rights to *Steinborst*, to the Elector of *Hanover*, in Consideration of Money paid, and Money to be paid hereafter: But whether this was actually confirm'd by the late Emperor, or only by his

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printed Sign-manual (*L'Estampille, ou Seing imprimé*) as many other Acts have been, as if done during his Life, is not yet known.

Now this important Treaty, plainly and simply as it stands, relates only to the *Hanover* Treaty before spoken of: And tho' the Title of *England* is very freely made use of in it, one would think it reasonable to conclude, That the Nation was no way to be concern'd in it, or affected by it; more especially, as the *definitive* Treaty between the *Emperor* and *France* had been concluded at *Vienna*, Nov. 18, 1738, N. S. by which the Peace and Quiet of *Europe* was all settled, and we were authorized to hope, That our Apprehensions and Expences, were at last drawn to an End.

But, alas! we were still disappointed: For, but NINE DAYS after the Signing of the *Steinborst* Treaty, before spoken of, another was sign'd by the *English* Minister at *Copenhagen*, on the 14th of the very same Month, just as if it waited for, and attended on the Knowledge of that sign'd at *Hanover*, on the 5th, and was to be understood as an Appendix to it. And, indeed, the very Treaty itself, in the declar'd Causes, which are assign'd for making it, seems to have an Eye more to what had lately pass'd between *Hanover* and *Denmark*, then *Den-*  
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mark and *England*, by avowing, That in the PRESENT Situation of the Affairs of EUROPE, their reciprocal Interest requires, that their antient Friendship and Confidence should be RENEW'D and strengthen'd by stricter Tyes.

But if *England* is consider'd, as no doubt it is, by all the Powers of *Europe*, as only an Appendage to *Hanover*, then, indeed, it must be allow'd, That this Renewal had been render'd necessary by the glorious Feats of the *Hanoverians* at *Steinborst*, in support of the Rights and Honours of the KING OF GREAT BRITAIN: And it was but Right and Fit, that *England* should be obliged thereby, as she was, to pay 250,000 Crowns a Year to *Denmark*, for three Years, that the Friendship and Confidence of the two Princes might be restor'd, and *Steinborst* continue in the Possession of *Hanover*.

We are now to return to *England*, where the News of a final Accommodation with *Spain* was every Hour expected; and in Expectation of which, the Opening of the Session was deferr'd from Jan. 1738-9. 18, to Feb. 1, when the utmost Concessions of the *Spanish* Court being arrived, his Majesty, in his gracious Speech to both Houses, published the glad Tidings, in the following Terms,

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“ It is now a great Satisfaction to me, that I am able to acquaint you, that the Measures I have pursued, have had so good an Effect, that a *Convention* is concluded, and ratified between me and the King of *Spain*; whereby, upon Consideration had of the Demands on both Sides, that Prince hath obliged himself to make Reparation to my Subjects for their Losses, by a certain stipulated Payment; and Plenipotentiaries are therein named and appointed, for regulating, within a limited Time, all those Grievances and Abuses, which have hitherto interrupted our Commerce and Navigation in the *American* Seas; and for settling all Matters in Dispute, in such a Manner, as may for the future prevent, and remove *all* new Causes and Pretences of Complaint, by a strict Observance of our mutual Treaties, and a just Regard to the Rights and Privileges belonging to each other. I will order the *Convention*, and the separate Article to be laid before you.

“ It hath been my principal Care, to make use of the Confidence you reposed in me in this critical and doubtful Conjunction, with no other View, but the general and lasting Benefit of my Kingdoms; and if *all the Ends*, which are to be hoped for, even from *successful* Arms, can be attained, with-

without plunging the Nation into a War, it must be thought, by all reasonable and unprejudiced Persons, the most desirable Event.

*Gentlemen of the House of Commons,*

“ I have ordered the proper Estimates to be prepared, and laid before you, for the Service of the current Year. I heartily *wish*, that the Posture of Affairs would have permitted me to *retrench* the public Expences, for which I am obliged to demand the present Supplies: And I make no Doubt, but your experienced Zeal and Affection for me and my Government, and the proper Concern you have always shewn for the *public Good*, will induce you to grant me such *Supplies*, as you shall find necessary for the Honour and Security of me and my Kingdoms.

*My Lords and Gentlemen,*

“ I cannot but earnestly recommend it to you, not to suffer any *Prejudices* or *Animosities*, to have a Share in your Deliberation at this important Conjunction, which seems in a *particular Manner*, to call upon you to unite in carrying on such Measures, as will be most conducive to the true Interest and Advantage of my People.”

Upon the Report of this Speech in the House of *Commons*, a Motion was made for an

an Address, containing not only a Paragraph of Thanks in the Beginning, and an Engagement to furnish the necessary Supplies in the End, but the following lumping *Items* in the Body of it.

“ We acknowledge your Majesty’s great Goodness in the *constant* *Regard* your Majesty has been pleased to express to the *Petitions* and *Complaints* of your Subjects, and the Advice of your Parliament, and in pursuing such Measures for the Honour and Dignity of your Crown, and the true Interest of your People, as your Majesty in your great Wisdom judged to be most proper and advantageous.

“ We congratulate your Majesty on the Success of your Royal Endeavours, in concluding a Convention with the King of *Spain*, whereby Reparation is stipulated to be made and paid to your Majesty’s injured Subjects, and Plenipotentiaries are appointed for regulating ALL those Grievances and Abuses, which have hitherto interrupted our Commerce and Navigation, and for removing ALL future Causes and Pretences of Complaint.

“ We beg Leave to assure your Majesty, That your faithful Commons will effectually support your Majesty in accomplishing and bringing to Perfection this great and necessary

fary Work, in such a Manner as may answer the just Demands and Expectations of your Majesty and your People.”

But tho’ this Motion was extremely palatable to one Part of the House, it excited Abhorrence in the other; in particular, Sir *William Wyndham* express’d himself upon it to the following Effect:

“ Tho’ I am not very apt to believe vulgar Reports, yet I am sorry to say, it is but too probable, That the Court of *Spain* has dar’d to trifle with us in a most egregious Manner, notwithstanding the Resolutions both Houses came to last Session; and that they could not be brought to make the least Concession in our Favour, till we had given up every Thing that we ought most strenuously to have insisted on.

“ I beg Leave to give my Reasons for thinking so, and these Reasons shall be founded upon the greatest and most unquestionable Authority, the Words of his Majesty’s Speech. We are told there, Sir, That a Convention with *Spain* is concluded and ratified; and that, in consequence of this Convention, Plenipotentiaries have been nominated for redressing, within a limited Time, all our Grievances and Abuses. I have no Manner of Design to forestal the Opinion of the House upon this Convention;

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tion; I hope we shall be soon favoured with seeing it, and I wish that it may be found a good one. But I beg leave to take notice, That our Ministers would have shewn a much greater Regard for the Sentiments of Parliament than they have done, if this Convention had been communicated to the House before it was ratified. By this Means, Sir, we should not have been put to the ungrateful Task of perhaps condemning a Measure which has had the royal Sanction, and which is now in some Sort irrecoverable. But, how have our Ministry managed? Why, Sir, they put off the Meeting of Parliament for fourteen Days, in order to throw this, I may call it, unsurmountable Difficulty in our Way; and then we are told, That this Convention is concluded, not only concluded but ratified, and not only so, but that Plenipotentiaries are appointed to see it executed, and to carry it into a definitive Treaty. This is a very bold Stroke, especially as the Parliament has already pointed out what our Rights are. If Regard has been had to the Resolutions of Parliament, I can see no manner of Reason for appointing Plenipotentiaries for settling all Matters in Dispute. The Parliament, I think, has already done that, by expressly ascertaining what the  
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Rights and Privileges of this Nation with regard to our Navigation in the *Indies* are. Therefore I cannot conceive what these Gentlemen our Plenipotentiaries are to settle, unless they intend, by virtue of their full Powers, to give up some Part of what the Parliament has already found to be the undoubted Right of this Nation."

To these he added several other very affecting Considerations, and concluded with a Motion to leave out all the Paragraphs above inserted, by way of Amendment.

But to obviate this, Mr. *Chancellor of the Exchequer* stood up, and after uttering aundance of *notable* Things in his Way, took Occasion to throw in the following bold one,

" Upon the whole, Sir, I will venture to say, That this Negotiation has been the *best conducted*, and *the most happily finished*, of any we *meet with in History*. For we have not left the Payment of our Merchants to the Arbitration of Commissaries, or Plenipotentiaries; we have not accepted of an Order upon any of their Chambers in *Spain*; but we have expressly *ty'd down* his *Catholic Majesty* himself; we have obtained his great Seal as a Security for their Payment; and so tender was his Majesty of his Subjects Property, that his Ministers refused to enter  
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into any Negotiation relating to this Affair, till such Time as Reparation for the Losses of our Merchants was fully and expressly stipulated. Such an *express and full Stipulation* is obtained, to the great Confusion, I believe, and Disappointment of some amongst us, who, rather than not see their Contry involved in a War, would be content that she were involved in Calamities, and embroiled with every one of her Neighbours.

“ I will venture to say, That when it was concluded, I thought it *my Happiness* that the Nation would look upon the *Influence* I have in the Government as one of the *principal Means* that brought it about. Nay, I should not be sorry if it was looked upon as a Measure ENTIRELY *my own*.”

“ Last Session, Sir, I remember that I *undertook* to be *answerable* for the Measures which the *Government* shall pursue while I have the *Honour* to be a *Minister*. I am *prepared to make good my Promise*. I desire no more than a *fair Hearing*; and this, I hope, will not be deny'd me.”

Many other Persons distinguished themselves in the Debate on each Side of the Question: But whoever had the best of the Argument, the *Minister* had the best of the Division; the Amendment being rejected by 230 against 141. Our

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Our late Negotiations with *Spain* not having given the desired Satisfaction to the Public, and appearing to be somewhat mysterious in their Nature and Tendency, it was held expedient to call for such Papers as might serve to remove the Veil. Accordingly, a Motion was made by Mr. *Sandys* for the Instructions given to Admiral *Haddock*: But *these* being number'd among the *Arcana Imperii*, it was not held safe to expose them; the Majority (which was 183 to 113) chusing *Darkness* rather than *Light*.

The same worthy *Patriot* then made another Motion for such Memorials or Representations as had been made to the Court of *Madrid*, relating to the Losses of his Majesty's Subjects, &c. But *Reasons of State* being still against him, it pass'd in the Negative, like the foregoing, by 200 against 120.

The *Convention* having, by this Time, been not only laid before both Houses, but appeared in Print, and made its Progress thorough the Kingdom; the whole Nation seem'd to condemn it with one Voice; and the Merchants in particular, from all Parts, almost, follow'd it with Petitions into the House of Commons, desiring to be heard by their Council against it: But the *Minister*, either not caring that *Bad* should be made *Worse*, or believing that the Facts

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they had to urge spoke plainly enough for themselves, so bestir'd himself, That when a Motion was made to grant this Indulgence to the suffering Petitioners, it was over-rul'd by 227 against 208.

\* The Merchants were admitted, however, to be heard by themselves, and Capt. *Vaughan*, who had not otherwise been heard at all, arrived just time enough from his *Spanish* Jail, to inform the House of Commons, That the very *Spaniards* made a Jest of our Submission, and in Contempt, call'd our Mariners the *Gallinas de la Mar*, the *Hens of the Sea*; and that even the Trademen amongst them deserted their Trades to go to Sea, to hunt the *English*.

The Merchants having the first Day, with great Energy, represented their Distress and their Danger, the second Day was spent in examining, as far as the Time would permit, into the short Account, on the Authority of which it was pretended, That the Sum promised (95,000 *l.*) by *Spain* had been accepted. But the Particulars of the Treaty were not to be entered into separately. The Question to approve or disapprove the whole *Convention* was to be decided without Loss of Time, and in a summary Man-

\* See the State of the Rise and Progress of our DISPUTES WITH SPAIN.

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ner. A general Address to the Crown was therefore propos'd the very next Day. Three such Addresses had been already voted on the like Occasions; gracious Answers had been returned to them all, and still the Grievance continued; nay strengthened upon the Nation. But something was to be done; and what else could be done? An explicit Approbation of this glorious *Convention* could not be expected from the most determin'd; a separate Examination of every Article it would not bear; nay, an Address confined to the *Convention* itself, an Address that specifically and directly approv'd the *Convention* might have miscarried; or if it had been carried, they who had voted for it would have been left without any Colour to excuse themselves, and to amuse or puzzle Mankind. *Thanks to the Crown* therefore, were the thin Leaf-Gold used to gild this nauseous Pill. Hopes and Assurances were added, That our *Plenipotentiaries* would obtain what in the Address of 1737-8, had been pointed out to our *Ministers* to insist upon, and what they were so far from having insisted upon, that it did not appear they had once demanded it. A *Compliment* to the Crown, rather than the *Merits* of the *Convention*, became in *this* manner, the Subject of Debate; and tho' there

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there could be no room for such a Compliment on this Occasion, unless the *Convention* was a good *Convention*, yet even they who thought it a bad one, caught at this Expedient of complimenting the *Minister* under the Veil of a Compliment to the Crown. The House of Lords express'd their *Dependance*, That in the future Treaty the utmost Regard would be had to the Rights of his Majesty's Crown and Subjects. The Commons declared their *Reliance*, That the greatest Regard would be had to our Rights and Possessions. On whom did the One *depend*; on whom did the Other *rely*? on the King. But they had always the same *Dependance* and *Reliance* on his Majesty: They had expressed it the Year before, when they address'd to have the Negotiation put on the true Foot, and brought to a short Issue, by asserting our Right to a free Navigation, and rejecting the impudent Pretension of the *Spaniards* to stop and search our Ships. What had happened since that Time to give Occasion of renewing this Compliment to the Crown? Had we asserted this Right? Had the *Spaniards* departed from this Pretension? There was no Ground to affirm the first; and as to the last, it was notorious, that the *Spaniards* maintained the same Pretension both  
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in Word and Action, and that we had not only once more fortified it, as we had done for fourteen Years together, but much more strongly than ever, by admitting it as a Matter of Treaty, after the Sense of the Nation, of the Parliament, and even of the Crown, had been declared against it; for so they had been: And the Address'es of the Two Houses, and the King's Answers in the precedent Session meant this, or they meant Nothing. Who had presumed to act against this declared Sense? Who had presumed to bring a Treaty before the same Parliament that contradicted this Sense, and was built on Principles repugnant to it, or else was designed only to gain Time, and to continue with great Dishonour and Loss to the Nation, the same frivolous Negotiations, rather than interrupt the Ease, ruffle the Mind, or endanger the Power of the Minister? It was the *Minister* himself, it was he who claimed to himself the *Honour* of this Convention, and who had the Front to make the Panegyric of it, but a few Days before he knew it was to appear. Was the *Dependance*, was the *Reliance* of the Parliament placed on him? Could it be expected, That he who had acted like the Tool of *Spain*, after the Passages of the last Year, would act like a Minister of *Great*

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*Britain* this Year? Could it be expected, that the Addressees of this Year should be more regarded by him, than those of the last Year had been? And if they were not more regarded by him, what *Dependance*, what *Reliance* did Experience teach us that we ought to have? What Service could the Nation expect, on this Occasion at least, from a Man who had avowed on the same Occasion one of the most disadvantageous Treaties that ever was made, and who had, by his *Concessions to Spain*, put it out of his Power even to speak the Language that a *British* Minister out to bold?

If the *Convention* deserved Censure, and the Minister who own'd it Punishment, for what it did not determine, for leaving our Rights and Possessions in Dispute, and in Truth, for making them disputable, it was at least as liable to Objection in the sole Point determined by it. The Dishonour and Damage accruing to the Nation, by consenting to *treat* on the Freedom of our Navigation to and from the *West-Indies*, instead of asserting it as explicitly and as strongly as we could assert that of our Navigation to and from the *Mediterranean*, or in our own Channel, are indeed of much greater Moment, than the Particular now to be mention'd; but this is of Moment  
both

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too, in point of Dishonour and Damage both. A bare Exposition of Fact will justify what is here said.

The *Assiento* Contract, and the *Convention* of 1716 being enumerated among the other Treaties in the first Article of this Convention, the Disputes subsisting between the *South Sea* Company and the Court of *Madrid*, might seem to be referred to the *Plenipotentiaries*, and the rather, because the *Extracts* of Papers which the Minister suffered to be laid before Parliament, were silent on that Head: But the Papers produced by the Company shewed, That the King of *Spain* had actually refused to admit any farther Negotiation concerning these Disputes, and that they were not referred, but determined in favour of *Spain*, in order to obtain this Convention. It was indeed, asserted, That the *Spanish* Declaration, concerning the Company, had no more relation to the Convention, than it had to the Grand Alliance: But that Assertion was too daring for any Body but the Grand Assertor to make. His very Friends disowned it, and the Shame of it was left upon himself, and the Declaration was admitted by all, to be the *Condition* of our obtaining the Convention.

Nay, it was immediately proved to his  
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Face, and even by *Keene's* Letter, That the King of *Spain* absolutely refused to treat any longer with the Company, and insisted, That they should advance the Sum of Money, which, by the way, they had never owned to be due, but had offered as the Price of obtaining Justice from this Prince. By accepting this *Declaration* the *South Sea* Company was given up, and left at Mercy, the *Convention* was ratified, and the Minister, with whose Privity and Consent the *Spanish* DECLARATION had been made was avowed. In order to palliate the Sacrifice that was made, on this Occasion, of common Sense, something was to be said, and weak as that was, it shall be mentioned, that no Partiality, no want of Candour, may be objected to what is here said of the strange Conduct of our Ministers, and the strange Concessions they made to patch up Matters with *Spain*. It was said then, That the *Declaration* reserv'd only the King of *Spain's* Right of suspending the *Assiento* Contract, in case he had any such Right, and that our accepting of it gave him no new Right. But if our Ministers denied that Right, nothing could be more ridiculous than their accepting the *Declaration*. Either this Acceptance was the meanest Trick to amuse the Court of *Spain*, or was the lowest Quibble to impose upon the *British* Nation.

Was

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Was the Right of suspending the *Assiento* openly denied? if it was not, the Nation, in whose Place the Company stood, was notoriously betrayed. If it was denied, the Dispute then must have been given up on one Side or the other. Had the *Spaniards* yielded, the *Declaration* would not have been made. Had our *Ministers* yielded, the *Declaration* would have been made, and it would have been concealed. It was made, it was concealed; the only Reason, therefore, we have to doubt whether our *Ministers* yielded up our Right or not, is, that it does not appear they ever asserted it.

It was insisted upon, farther, That the Stipulation of 95000 *l.* to be paid by *Spain*, being in the Body of the *Convention*, the Court of *Spain* stood engaged to pay that Sum, whatever the *South Sea* Company determined upon the *Declaration*. The Engagement of the Court of *Spain* was, by the *Convention*, absolute, no doubt. That could not be denied: But it is as true, That if we suppose, notwithstanding the just Grounds of suspecting the contrary, that our *Ministers* did not agree that the 68,000 *l.* should make Part of the *Spanish* Payment; yet it is evident, That, as far as in them lay, they favoured the Court of *Spain* in her unjust Demand on the *South Sea* Company, and suffered

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suffered her to threaten, That she would punish the Company, by violating her Treaties with the Crown of *Great Britain*.

The Nation, then, altho' the *South Sea* Company did not comply, was to be paid the large Sum of 95,000 l. This Sum was turned every Way to do Honour to the *Convention*. It was all we had obtained, and, therefore, it was every Thing we wanted. It was paying Costs of Suit; it was a Confession, That the Seizing of our Ships was an Injury; it was *full* and *ample* Reparation for all the Losses of our Merchants; and it was an Earnest, That in the future Negotiation the *Spaniards* would refuse us nothing. But at the very Time when the *Spaniards* granted this, they must have refused us something, or our undoubted *Right* to a *free Navigation* must not have been asserted by our Ministers. If it was asserted, and not granted, something had been denied us, something that would be denied us again; since, besides other Reasons that encouraged the *Spaniards* to deny it, they knew by Experience, That the Depredations of one Summer would more than reimburse them for the whole Sum they advanced. But besides, it had more than once appeared, That this supposed necessary Connection, between the Promise of Money, and the Acknow-

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Acknowledgment of Rights, had no Foundation. The *Spaniards* had formerly offered to compound for their past Depredations by a gross Sum: That Offer, indeed, came to nothing; but this was occasioned only by a Sum, in their Opinion too large, being demanded. Every *Cedula* granted by *Spain*, for Restitution of any particular Capture, it matters not, whether obeyed or not, was still a stronger Confession than any Thing in the *Convention* could be. But neither the *Spaniards* nor our Ministers had ever considered these particular *Cedula's* as Confessions of the Injustice of the *Spanish* Pretensions in general. An implied Confession of that kind, if it was one, was, therefore, not a new Thing obtained by the *Convention*. But there is evidently no Pretence to say, That such a Confession was even implied. The *Spaniards* maintained their Right to make Captures, but contented to pay for such as were made unjustly; that is, Capture to which their Pretension did not extend. Nay, if an implied Confession had been offered by *Spain*, it should have been rejected with Scorn, as a mean Subterfuge to avoid an open Acknowledgment of the Rights of the Nation.

That *full* and *ample* Reparation was obtained for our *Merchants*, was not long insisted.

sisted upon; it could in no Light be supported. The Losses, by the very Account given in to justify the *Convention*, amounted to 343,277*l. Sterling*, and by other Accounts to above 400,000*l.* To satisfy this Demand, all that was obtained from *Spain* was 95,000*l.* the remaining Sum of 248,277*l.* must therefore be either paid by *ourselves*, or deducted from the Account. All the Demands that the *Spaniards* on the other Side, could form against *Britain*, by an exorbitant Computation, did not exceed 180,000*l.* And even allowing them that Sum, the Balance payable to *Britain* by *Spain* would have amounted, according to the Account, to 163,277*l.* instead of 95,000*l.* But as their Demands could not justly exceed 60,000*l.* the Balance due to us would have been 283,277*l.*

Our Demands, therefore, were, under some Pretence or other, to be reduced. And for this Purpose, it was said, That 200,000*l.* would satisfy every Claimant. But when the Reasons for this vast Deduction of 143,277*l.* were demanded, it was answered, That many Claimants were not to have Satisfaction; That all Demands for Ships taken *in Time of War*, were struck off, all Claims over-rated were reduced, and some Claims not made out, were rejected: But

no

no Account was pretended to be given, by what Rule the Deduction had been made, no List of the Sufferers by it had been taken, nor had any Notice been given to any one Sufferer, that his Proofs were insufficient; so far from it, that when, upon the Report of a *Convention* being signed, a Sufferer demanded, whether he was included among those were to receive Satisfaction, he was told, That it was not known whether he was, or was not. It was confessed at last, That the Money to be paid, was to be divided among such Sufferers as should find *Favour* in the *Eyes* of *Commissioners* to be appointed by our *Minister*.

However, the Reduction of our Demands to 200,000*l.* was not yet found sufficient. As the *Father* of the *Convention* said the first Day, the Account was to be adjusted by accepting something *less* than was due to *us*, and giving the *Spaniards* somewhat *more* than was due to *them*.

The Sum of 60,000*l.* was therefore admitted to be owing by *Britain*, for Losses sustained by the *Spaniards*; and this Sum was to be given to our Merchants to complete the whole Sum that was to be paid them for their Losses. By this Allowance, the *Spanish* Ships taken in 1718, altho' *in Time of War*, were to be paid for. It had  
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been agreed by the Treaty of 1721, to restore these Ships to *Spain* in the Condition they then were, or the Value of such as were sold; and by the same Treaty, the Ships and Effects taken from the *British* Subjects, in Time of War, were agreed to be restored.

After the Rupture of 1726-7, by the Treaty of *Seville* 1729, the Examination of what concerned the *British* Ships, taken before the Peace, as well as the *Spanish* Claim for the Ships taken in 1718, was referred to Commissaries. But they never making any Report, our *Ministers* were left at Liberty to strike off the *British* Claim for Ships taken in War, and to admit that of the *Spaniards*. And even their Demand, thus admitted, remained over-rated, by allowing to the *Spaniards* the Value of the Ship *Isabella*, although they had taken the Ship herself from *British* Merchants, who had bought her from our Captors, and fitted her out at a great Expence. She was, indeed, one of the Ships of War taken from the *Spaniards* in 1718, but was afterwards left in their Hands at *Cadiz* as soon as they claimed and seized her; and since they had got the Ship, it was ridiculous to allow them the Price of her likewise. The *British* Purchasers must have been shamefully wrong-

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wronged, if not re-imbursed the Money the Ship had cost them; and it was an extraordinary Concession to *Spain*, to re-imburse them without deducting the Sum from the *Spanish* Accompt.

The 343,277 *l.* being by these Allowances on one Side, and Deductions on the other, reduced to 140,000 *l.* to be paid by *Spain*, this Sum was still too large to be obtained. All we were to expect was 95,000 *l.* another Deduction, therefore, was to be made. And accordingly 45,000 *l.* was struck off; which was said to be done under Pretence of PROMPT PAYMENT. After the *Spaniards* had, for many Years, injuriously detained the Effects of the *British* Subjects, the *British* Ministers stipulate that so large a Sum shall be given, as an Inducement, to those who had robbed us, to make *some* Restitution. The Uncertainty of the Payments in the *West-Indies*, and even in *Old Spain*, was urged to excuse this Defalcation. But no Reason was given, why our Ministers had not obtained a Promise of 140,000 *l.* as much to be relied on, as the Promise of 95,000 *l.* for which they claimed so much Honour. The Uncertainty of the Payments was not surely an Argument used by the *Spaniards*. It must have been, by the Nature of it, suggested by our Ministers. An Offer

Offer of so large an Abatement, for a Difference so immaterial in the Opinion of the *Spaniards*, who supposed that both Payments were equally certain, must have been made by our own Ministers; and by such an Offer, they shewed as much Unconcern for the past Losses of our Merchants, as they had shewed for the future Security of our Trade.

This last and capital Error in the *Convention* no Cunning could screen: That there was no Stipulation of future Security to our Trade was admitted. The Objection, That our Ministers had not complied with the Address of Parliament, *effectually* to convince the Court of *Spain*, that his Majesty would *no longer* suffer these Depredations, remained unanswered, nay confessed. How could it be denied, since the Depredations were not even to be suspended? It appeared, That the *Convention*, once that best of Treaties, that glorious and final Determination of all our Disputes, was now become no more than a *Preliminary*. In 1727, we had Preliminary Articles, in 1728 a Preliminary Act, in 1729, as to *Britain*, a Preliminary Treaty; in 1732 a Declaration and Preliminary Commissioners, who were to have made a Preliminary Report, and now, in 1738-9, we had obtained a Preliminary

nary Convention. The End of all our Preliminaries to 1730, had been, by a Silence upon our most undoubted Rights, to get out of the Hands of the *Spaniards* the *South Sea* Ship the *Prince Frederick*; the End of all our Negotiations since has been to purchase, by the like Silence, an inconsiderable Sum of Money for our Losses; so that it appears as if our Ministers had, in their whole Conduct, considered the most valuable Rights of the Nation, only with a View to the Price for which they could be sold.

If the *Convention* had been considered merely as an Effect of the Proceedings of the former Session of Parliament, and if the single Point of Deliberation had been, whether in pursuance of the Addresses, Reparation had been obtained, and such Preliminaries agreed to, for the other Point, as were agreeable to Justice, Prudence, and the Honour of the Nation; to which some Persons insisted, That all Debates concerning it ought to be confined, even in that partial Light we have seen that it would have appeared extremely defective. But surely the proper Heads of Consideration, and those which occurred to every Man who was, in earnest, solicitous for the Interest and Honour of *Great Britain*, were of

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a larger Extent and higher Nature: They were these, in short, Whether it was not criminal, ruinous, and dishonourable to agree to any Preliminaries, until an undisputable, plain, and essential Right was asserted; until Justice for Cruelties, as well as Reparation for Damages was obtained, and until a Pretension unsupported and unsupportable, the Child of the Weakness of our Ministers, the Shame of our Country, and the Ruin of our Trade, had been disavowed, given up, and more expressly retracted, than ever it had been asserted. Whether it was not criminal to sign a Treaty, without obtaining a Condition, which the King and the Parliament had pointed out to be the great Object of the Negotiation; a Condition to be insisted upon, not to be referred to Discussion; a Condition that could not be delayed without being refused; and on the Refusal of which, the Nation had engaged to support the King in whatever should be necessary to vindicate his Honour, and assert their Rights: Whether it was not ruinous, to refer a Right to be discussed that was invalidated by being brought into Dispute, and to permit that while the Plenipotentiaries debated, the *Spaniards* should continue Depredations, long before this Time become intolerable: Whether it was  
not

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not dishonourable, to accept of any implied, supposed, forced, or elusive Acknowledgment of a Right which our very Ministers ought to have blush'd to see disputed, against a Pretension long exercised, openly avowed, formally demanded, and resolutely insisted upon, supposing such an Acknowledgment to have been fairly deducible from the Terms of the *Convention*, as it was not.

Upon the Whole, after a Debate, which lasted till near One o'Clock in the Morning, the House divided, and the Compliment of *Thanks* before-mentioned, was resolv'd upon by 260 against 232. How justly may be gather'd, not only from the Facts and Reasonings already recounted, but from the Necessity which soon after obliged us to recall their Excellencies Mess. *Keene* and *Castres*, and refer the final Decision of our Disputes to the Sword.

Both Parties, however, on the Morrow, return'd to the Charge again; a Motion was made to re-commit the Resolution of the preceding Day; many warm Speeches were made on both Sides, and on a Division, the *Minister* again carry'd the Day, by 244 against 214. The Question being then put upon the Address, Sir *William Wyndham* rose up, and express'd himself to the following Purpose.



“ I do not rise up, after a long Debate, to give you again my Sentiments upon the *Convention*, which we are now, it seems, to approve of; but to express my great Concern at what I have seen happen. In all the Variety of Company I have kept, I have never heard a single Person without Doors pretend to justify this *Convention*; and when the Sentiments of Particulars were such, I did not expect, when they were met together in a Body, to see a *Majority* vote for it. This must be owing to one of these two Causes: Either Gentlemen were convinced by the Arguments made use of in this House, for justifying this *Convention*; or there are *other Methods* of convincing besides Reason. I am not at Liberty to suppose it the latter, therefore, I must suppose it the former. But this, Sir, is to me a very melancholy Consideration; for tho' I have attended with the utmost Regard to all that has been said upon this *Convention*, I have not heard a single Argument in its Favour, that has had the least Weight with me. This, I say, Sir, is a very melancholy Consideration to me, since it makes me conclude, that I have not COMMON Sense, because I find I cannot be convinced by the Strength of *common Reason*; and therefore I think myself very unfit to do my Duty in this House.

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While I sit here, I am resolved never to be directed by any thing but Reason; and, as I must now conclude, that I do not understand Reason when I hear it, I must think myself incapable of doing my Duty in this House; therefore I am resolved to retire to the Country, and there perform my Duty as far as I am able, by acting in Conformity to the Laws, and in Obedience to the Government.

“ However, I must beg Gentlemen to consider the Consequences of the Vote they are now going to give. This Address is intended to convince Mankind, that the Treaty now under our Consideration is a reasonable and an honourable Treaty for this Nation; but if a Majority of 28, in such a full House, should fail of that Success; if the People should not implicitly resign their Reason to a Vote of this House, what will be the Consequence? Will not the *Parliament* lose its *Authority*? Will it not be thought, that, even in *Parliament*, we are governed by a *Faction*? And what the Consequences of this may be, I leave to those Gentlemen to consider, who are now to give their Vote for this Address. For my own Part, I will trouble you no more; but, with these my last Words, ‘ I sincerely pray to  
‘ Almighty God, who has so often wonder-

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‘ fully protected these Kingdoms, that he  
 ‘ will graciously continue his Protection  
 ‘ over them, by preserving us from that  
 ‘ impending Danger which threatens the  
 ‘ Nation from without, and likewise from  
 ‘ that impending Danger which threatens  
 ‘ our Constitution from within.’

Sir *William* had no sooner done speaking, but he left the House, and was follow’d by almost the *whole Minority*, who *then* seem’d to have, wisely and bravely, resolv’d no longer to countenance Measures they could neither approve nor prevent.

The ministerial Herd seeming to be a little alarm’d at an *Incident* so extraordinary and unexpected, their *Leader* took the Hint, to express himself with a Licentiousness which had never been allowed within those Walls before—Let Posterity be the Judge!

These are said to have been his Words: “ The Measures which the Gentleman who spoke last, and his Friends, may pursue, give me no Uneasiness. The Friends of the Nation and his Majesty are obliged to them for pulling off the Masque, by making this public Declaration. We can be upon our Guard, Sir, against *open Rebellion*, but ’tis hard to guard against secret Treason. The *Faction* I speak of, Sir, never sat in this House, they never joined in any public Measure of  
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the Government, but with a View to distress it, and to serve a *Popish Interest*. The Gentleman who is now the Mouth of *this Faction*, was looked upon as the Head of *these Traitors*, who twenty-five Years ago conspired the Destruction of their Country, and of the Royal Family, to set a *Popish Pretender* upon the Throne. He was seiz’d by the Vigilance of the then Government, and pardoned by its Clemency; but all the Use he has ungratefully made of that Clemency has been to qualify himself according to Law, that he and his Party may, some time or other, have an Opportunity to overthrow *all Law*.

“ I am only afraid, Sir, that they will not be so good as their Word, and that they will return to Parliament; for I remember that, in the Case of a favourite Prelate, who was impeached of Treason, the same Gentleman, and his Faction, made the same Resolution. They then went off like *Traitors* as they were, Sir; but their Retreat had not the detestable Effect they expected and wished, and therefore they returned. Ever since, Sir, they have persevered in the same *treasonable* Intention of serving that Interest by distressing the Government. But I hope their Behaviour will unite all the true Friends of the present happy Establishment of the Crown in his Majesty’s Person and  
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Family more firmly than ever; and that the Gentlemen who, with good Intentions, have been deluded into the like Measures, will awake from their Delusion, since the *Trumpet* of Rebellion is now in a manner sounded."

With regard to the other Business of this Session, it will be sufficient to observe, That the Army was continued for another Year, as before; That the Complement of Seamen was fix'd at 12,000 *l.* That 75,583 *l.* 6 *s.* 8 *d.* was granted by way of Levy-Money and Subsidy to the King of *Denmark* for 6000 Troops, taken into *British* Pay, immediately after the Affair of *Steinborst*; That a Clause was calculated to levy 60000 *l.* of the People of *England*, as a Debt to *Spain*, which, with the further Sum of 95,000 *l.* to be advanced by *Spain*, was to make good the Losses of our Merchants, in case the *Convention* had been fulfilled: That 500000 *l.* was granted out of the Produce of the *Sinking Fund*, by way of Vote of Credit: That the whole Amount of the Supply was 2,638,363 *l.* 10 *s.* 4 *d.*  $\frac{1}{2}$ . That the King was enabled to settle an Annuity of 15000 *l.* *per Ann.* on the Duke of *Cumberland*, and 24000 *l.* *per Ann.* on the Four Princesses; and that his Majesty closed the Session with a gracious Speech, containing *Thanks*, &c. and concluding thus: "I

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"I am persuaded it is unnecessary for me to recommend to your serious Consideration, the fatal Consequences that may threaten a Nation divided within itself, inflamed, and misled by all the *wicked* Arts and *Insinuations*, that *Malice* and *Falshood* can suggest. It is too obvious, what Advantages our common Enemies wait to take from the *Heats* and *Animosities*, that, under *groundless Pretences*, are industriously fomented, and spread throughout the Kingdom. Let all, who profess themselves zealous Assertors of the Rights and Privileges, Laws and Liberties of their Country, and of the *Protestant Religion* under the *present Establishment*, unite in the Defence of *these inestimable Blessings*. Let the Honour, Prosperity, and Safety of the Kingdom become one common Cause, and reconcile all *civil Discords* and *Divisions*; that, by your Unanimity, you may disappoint the *only* Hopes and vain Expectations of our Enemies."

It is now necessary to remind the Reader that, by the *Declaration* annex'd to the *Convention*, the King of *Spain* reserved to himself a Right to suspend the *Assiento*, in case the *South Sea* Company refused to pay him 60,000 *l.* being his Catholic Majesty's Demand on the said Company: But This the Company thought they had a Right to  
refuse,

refuse, unless the King, upon whom they had vast Demands, on account of the various Seizures made of their Effects by his Orders, would agree to compound the Debt, and allow them 130,000 *l.* as the Nett Balance in their Favour. To this Proposal, however moderate, the Court of *Madrid* turn'd a deaf Ear: They had the *Company* at their Mercy, and resolv'd to make them know it; nay, as if they had the *English* Nation at their Mercy too, they declined paying the very 95000 *l.* to which the Claims of *England* had been reduced by her pliant Agents, at the Time it became due; Urging in Excuse, That Admiral *Haddock's* Squadron was not \* recall'd; that the Declaration, with respect to the *Assiento*, had not been comply'd with, &c.

But by this Obstinacy on their Side, the Eyes of our *Minister* were at last open'd, and he had Reason to be convinced of the Impossibility, that any Concessions on ours, could at the same time prevent a Rupture, and pacify the Resentments of the Nation.

Under this double Necessity, therefore, he found himself oblig'd, however reluct-

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\* Note, The *Convention* was ratify'd here *Jan.* 24. The 29th, Admiral *Haddock* was order'd to return Home; and *March* 10, counter Orders were dispatch'd, requiring him to continue at *Gibraltar*.

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ant, to draw the Sword, tho' nothing could induce him to throw away the Scabbard.

Accordingly, *June* 15, Orders were issued privately for making Reprisals on the *Spaniards*, which were dispatched by a Man of War on the 19th following; and some time after Admiral *Haddock* was furnished with the like Powers; on the Authority of which, he began to cruize off of *Cadix*, in order to intercept such *Spanish* Ships as should fall in his Way.

*July* 10, these Orders for Reprisals were made public; and as soon as the Court of *Spain* had Intelligence thereof, they issued the like; and also, that all the Ships, Goods, and Effects of the *British* Subjects in the *Spanish* Dominions should be seized and confiscated; which was an express Violation of the Treaties between the Two Crowns, even in case a War had been declar'd.

An open Rupture was now, therefore, become unavoidable, and yet so loth was our pacific *Minister* to give way to it, that it was not till the 23d of *October* following, that the War was declar'd in form.

But tho' that *great Man* was thus slow in letting loose his Resentment upon the *Spaniards*, he made quicker Work at home: So early as *June* 6, a hot Press commenc'd for *Seamen*; on the 16th, an Embargo was laid

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laid on all Shipping in all the Ports of *Great Britain* and *Ireland*; from which last Country Ten Regiments were likewise imported, One Hundred and Thirty Men of War, of all sorts, manned with 34588 Hands, were put into Commission before the End of *November*: Orders were likewise issued for augmenting all the Regiments in the Service, and finally to raise a large Body of *Marines*, which, when completed, swell'd our *Land Forces* to between Fifty and Sixty Thousand Men: With the Help of all which prodigious Preparations, we made a Shift to surprize Two *Carracca* Ships in their Return to *Spain*, by the Beginning of *October*; and Admiral *Vernon* (who sail'd from *Portland Road*, July 31, to intercept the *Assogues*, but being disappointed, proceeded on to the *West-Indies*) made himself Master of *Porto Bello*, with Six Ships only, November 22.

But some Days before this remarkable Event took Place, viz. Nov. 15, the King was pleas'd to open the *Sixth Session* with a most gracious Speech; in which, having premis'd, That in all his Proceedings with the Court of *Spain*, he had been directed by the Sense of both Houses; having also enlarged on the Augmentations he had made in his Forces by *Sea* and *Land*, and

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express'd his firm Dependance on their known Affection for a suitable Supply, &c. his Majesty proceeded as follows:

“ The *Heats* and *Animosities*, which, with the *greatest Industry*, have been fomented throughout the Kingdom, have, *I am afraid*, been one of the chief Encouragements to the Court of *Spain*, to hold such a Conduct towards us, as to make it necessary to have recourse to Arms; and the *unhappy Divisions* amongst my Subjects are the *only Hopes* of the Enemies to my Government: But whatever Views and Projects they may form upon this Rupture, and what Advantages soever *Spain* may vainly promise itself from any Circumstances in the present Situation of Affairs; it is in your Power, by the Blessing of *God*, to defeat the one, and disappoint the other. Union among all those who have nothing at Heart but the true Interest of *Great Britain*, and a becoming Zeal in the Defence of my Kingdoms, and in the Support of the common Cause of our Country, with as *general a Concurrence* in carrying on the War, as there has appeared for *engaging* in it, will make the Court of *Spain* repent the Wrongs they have done us; and convince those, who mean the Subversion of the *present Establishment*, that this Nation is determin-

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ed, and able, both to vindicate their injured Honour, and to defend themselves against all our open and *secret* Enemies, both *at Home* and *Abroad*."

Before we pursue the Business of the Session, it is requisite to specify, That, at the Instance of Mr. P. \* that noble Resolution which had been so lately taken by the *Minority* to concern themselves no more with the Business of *Parliament*, till *Parliaments* were really, as well as nominally the *Representative* of the People, was broke thro'; and the *Minister* had the Glory, I cannot say the Satisfaction, to see his Prophecy fulfilled; which Fickleness or Inconsistency, in the Debate, occasioned by the Motion for the Address of Thanks, we find the said Mr. P. thus endeavouring to excuse:

"This Step (however it has been hitherto censured) will, I hope, for the future be treated in a different Manner, for it is fully justified by the *Declaration of War*, so universally approved, that any further Vindication will be superfluous. There is not an Assertion maintained in it that was not almost in the same Words insisted upon, by those who opposed the *Convention*. Every Sentence in it is an *Echo* of what was said in our Reasonings against that Treaty; and

\* See *The Defence of the People*, p. 39.

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every positive Truth, which the Declaration lays down, was denied with the utmost Confidence by those who spoke for the *Convention*. Since that Time, Sir, there has not one Event happened that was not then foreseen and foretold: But give me Leave to say, Sir, that tho' the Treatment which we have since received from the Court of *Spain* may have swelled the Account, yet it has furnished us with no new Reasons for declaring War; the same Provocations have only been repeated, and nothing but longer Patience has added to the Justice of our Cause.

"It is, therefore, evident, That if the War be now necessary, it was necessary before the *Convention*: Of this Necessity, the Gentlemen (known, however improperly, by the Name of *Seceders*) were then fully convinced: They saw, instead of that Ardour of Resentment, and that Zeal for the Honour of *Britain*, which such Indignities ought to have produced, nothing but Meanness, and Tameness, and Submission; and their natural Consequences, a low, temporary Expedient, a shameful *Convention*; a *Convention* which, had the *Spaniards* not madly broken it, must have ended in our Ruin, must have thrown our own Navigation into the Hands of our Enemies. To such a Conduct as this, they could give no Sanction;

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Sanction; they saw that all Opposition was ineffectual, and that their Presence was only made use of, that what was already determined might be ratify'd with the plausible Appearance of a fair Debate: They, therefore, seceded, if that Word must be used on this Occasion, and refused to countenance Measures which they could neither approve nor defeat.

“The State of Affairs is now changed; the Measures of the Ministry are now altered; and the same Regard for the Honour and Welfare of their Country, that determined these Gentlemen to withdraw their Countenance from such a Conduct as they thought had a Tendency to destroy them, has brought them hither once more, to give their Advice and Assistance in those Measures, which they then pointed out, as the only Means of asserting and retrieving them.”

Having thus clear'd up this Point, we are now to proceed to the Address of Thanks; which, tho' objected to on account of the Mention it made of *Heats* and *Animosities*, in correspondence to the last Paragraph in his Majesty's Speech, was carry'd without a Division: Indeed, the whole was but an Engagement in form, to comply with every Thing which the Crown had recommended, and

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and seem'd much better calculated for the Meridian of *Paris* than *London*.

And from Promises, they fell as fast as possible to Performance. A Supply was voted of course; Provision was made for 35000 *Seamen*, 28,852 *Soldiers*, and 4890 *Marines*, besides an Augmentation of the *Invalids*; which, together with the other Demands of the Year, stood the Nation in \* 3,874,076 *l.* 3 *s.* 7 *d.* 3 († 40000 *l.* for a Portion for the Princess *Mary* included.)

But the *A/s*, it seems, was not yet sufficiently loaded; a farther Sum, therefore, was at first *verbally* demanded by the *Cancellor of the Exchequer*; and afterwards by *Message*, for the Support of *certain Measures*, then under Consideration, which would occasion some extraordinary Expences, not comprehended in the *Estimates* laid before the *House*; which had such Weight with the *House*, that they, readily and chearfully,

\* Which was rais'd by the Malt-Tax, computed at 700,000 *l.* Four Shillings in the Pound on Land, computed at 2,000,000 *l.* 88,722 *l.* 7 *s.* 10 *d.* over-plus of Grants for the Service of 1739. One Million out of the *Sinking Fund*. From the growing Produce of the said Fund 200,000 *l.* and 21000 *l.* 1 *s.* 8 *d.* ½ which was the Produce of the Sale of Land in *St. Christopher's*.

† Granted *Nemine Contradicente*, tho' the first Marriage Portion, which had been given by Parliament to a younger Daughter of the Royal Family.

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threw in a Grant of *Two Hundred Thousand Pounds* more.

We are now to observe, That the Estimate for the *Marines* was presented to the House, by the *Secretary at War*, whereas it was formerly a Part of the *Admiralty Province*.

\* Upon this Account, several Gentlemen made Enquiries into the Establishments and Expences of our Fleets and Armies, during the Wars in the late King *William's* and Queen *Anne's* Time; and next Day, a Motion was made by Lord *Polwarth*, for an Address to his Majesty, that he would be graciously pleased to give Directions, that the Establishment of the six Regiments of *Marines* for the Year 1704, should be laid before the House. Upon this, Mr. *Secretary at War* acquainted the House, That he had diligently searched his Office for that Establishment, without being able to find it; and therefore he believed it had been burnt, when the Under Secretary of that Office, some Years before, had the Misfortune to have his House burnt; so that it would be to no Purpose to agree to the Motion, and might be a Cause of Delay. This occasion'd some sort of Debate; and after several

\* See *Annals of Europe* for the Year 1740.

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Members had spoke for and against the Question, without pointing out the Mistake, Mr. *Sandys* rose up, and said, That the honourable Gentleman might have saved himself the Trouble of searching in his Office for that Establishment, which was to be found only at the *Admiralty-Office*; for our *Marines* were then, as they always ought to be, under the Direction and Command of the Lord High Admiral. The Lord *Polwarth* then rose up again, and said, That he did not know whether the Gentlemen in the Administration could find the Establishment he had moved for, but he would acquaint them, that he had found it, and had procured a Copy of it, which they were welcome to look into, if they pleased. At last, all Opposition to the Motion was given up, and the Address agreed to. As the House presently after resolved itself into a Committee of the whole House, to consider further of the Supply granted to his Majesty; and as this Resolution was then proposed, it was opposed on Account of the said Estimate's being very *different* from, and more *expensive*, than the Establishment of *Marines* in the Queen's Time; but as the Establishment was not then regularly before the House, the Argument could not be enforced with a proper Authority; so that

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the Resolution was agreed to in the Committee, without any great Opposition. But the Report being next Day put off, Sir *Charles Wager*, on the 30th, presented to the House the said Establishment for six Marine Regiments, *Anno 1704*; and Mr. *Scrope*, by his Majesty's Command, presented to the House an Extract of the Establishment of Guards and Garrisons for the Service of the Year 1704, as far as the same related to the Pay and Charges of six Regiments of Soldiers raised for Sea Service, with their Officers, &c.

Then a Motion was made, That the said Establishment and Extract might be read, which was accordingly done; whereupon *Edmund Waller*, Esq; stood up, and by comparing the present Estimate with the Establishment in the Year 1704, he clearly shewed, that tho' we were not now to have so many Men, by some *Hundreds*, as we had in the Year 1704; yet they were to cost us above 8000*l.* more yearly. This introduced a long Debate, in which the *Minority* were Speakers for disagreeing with the Committee, in order to have the Establishment altered, and made, as they said, both *more serviceable* and *less expensive* to the Public, tho' not so serviceable to the *Minister*.

When

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When the Ordinary of the Navy came under Consideration, the Lord Viscount *Baltimore* endeavoured to shew, That in several Articles in the Estimates there was a great Probability of their being over-rated, or extravagantly charged. This brought on a Debate; but as his Lordship had made no Motion, the Lord *Polwarth*, after having started several new Objections against the Estimate then before them, undertook to shew the Impossibility of examining such Things in a Committee of the whole House; and therefore he concluded, with proposing, that the ordinary Estimate of the Navy be referred to a *Secret Committee*. But the Motion not being insisted on, the Estimate was taken into Consideration, and the Resolution agreed to, in the Committee of Supply; and upon the Report agreed to by the House.

Popularity next to Royal Favour, is held the most desirable Thing to great Men in mix'd Governments like ours; for which Reason, we find our *leading Patriots* making their Court to the *People*, with almost as much Affiduity as *Ministers* to the *Crown*.

Thus, on the very second Day of the Session, Mr. *Pulteney* moved, That the sixth and eighth Sections of an Act made in the sixth Year of Queen *Anne's* Reign, intituled,

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*An Act for the better securing the Trade of this Kingdom by Cruizers and Convoys; and also the second Section of an Act made in the same Year, intituled, An Act for the Encouragement of the Trade to America, might be read, and the same being read accordingly, he again stood up, and, after shewing the Advantages the Nation had reaped, during the late War, from the Regulations contained in these Sections; the Advantages the Nation must in every War reap from such Regulations; and the Prejudice it had suffered from not having these Regulations revived two Years before, when he had brought in a Bill for that Purpose; he concluded with a Motion, That Leave be given to bring in a Bill for the more effectual securing and encouraging the Trade of his Majesty's British Subjects in America, and for the Encouragement of Seamen to enter into his Majesty's Service. Upon which Ocasion Henry Pelham, Esq; stood up, and acknowledged the Usefulness of what was proposed, but added, the Motion was too early, because such a Bill as, he supposed, was designed, ought to be founded upon a Message from the Crown, and that therefore they ought to wait a few Days, in order to give the Crown an Opportunity to send some Message for that Purpose. Upon this ensued*

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a long Debate; but as the Opposers expressed some sort of Indifference, whether the Motion was agreed to or no, upon the Question's being put, it was agreed to without a Division; and the Bill was afterwards pass'd into a Law.

As the *Spaniards* had not only prohibited all Commerce with us, but even the Importation of *British* Commodities, tho' in neutral Bottoms, our *Ministers* thought it adviseable to play them the same Game; accordingly, a \* Bill was brought in for that

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\* Upon this Bill, the Author of *The Annals of Europe* makes the following modest and sensible Remarks.

“ Tho' this Bill passed both Houses of Parliament, without any remarkable Opposition, yet as this may be supposed to have been partly owing to a just Resentment, carried, perhaps, too far; and as many Gentlemen, of good Sense, disapproved of it, I shall, with the utmost Deference, give some of the Arguments made use of against it. In the first Place, it was said, That as this Nation is a trading Nation, and depends chiefly on foreign Commerce, whatever other Nations may do, we ought not, on our Part, to do any Thing that may interrupt or cramp our Commerce.

“ 2dly, That as our Trade with *Spain* has always been deemed a beneficial Trade to this Nation, and might, by proper Management, be rendered much more beneficial than it has been of late Years, whatever his Catholic Majesty may do, we ought not, on our Part, to do any Thing that may interrupt our Trade with that Kingdom; for that, notwithstanding the severest Prohibitions on the Part of *Spain*, Methods will be found to introduce many of our Commodities among the People of *Spain*, if we do not second the Views of that Court by some imprudent Steps of our own.

“ 3dly,

Purpose; which, after some Demur, on account of certain Amendments made, and for

“ 3dly, That most of the Goods imported from *Spain*, except their Wines and Fruits, are necessary for working up our own Manufactures, or for sorting Cargoes, and carrying on our Commerce with other Nations; which the Parliament seemed to be sensible of, by inserting in this Bill a Clause, empowering his Majesty to take off the Prohibition by Proclamation, with respect to such *Spanish* Commodities as he should think proper. And even, as to the Wines and Fruits of *Spain*, the Prohibition of them could be of no great Disadvantage to the Crown of *Spain*; because the Revenue of that Crown depends very little either upon the Growth or Exportation of these Commodities; and it would, with respect to both, be a Disadvantage to this Kingdom: With regard to the *Spanish* Wines, if we have not their Wines, we must take an equal Quantity from other Nations at a dearer Rate; and besides, as some sorts of *Spanish* Wines are necessary for brewing up our Wines made here at home, they are of Advantage to the Nation; for tho’ the Wine Brewery here at home be a Loss to the Revenue, it is an Advantage to the Nation in general, by diminishing the Quantity of Wines imported. And with regard to *Spanish* Fruits, their Lemons and Oranges, particularly, are of great Benefit to this Nation, by promoting the Consumption of Punch, and thereby diminishing the Quantity of foreign Wines we have occasion for.

The fourth and last Argument I shall take Notice of was, That in this War we ought to have taken all possible Methods for making the *Spaniards* believe, That we have no Quarrel with the People, but only with the Court of *Spain*; and that for this Purpose, his Catholic Majesty’s Prohibition of Commerce should have been answered with a counter Declaration, that we had no Quarrel with the People of *Spain*, and therefore would not prohibit Commerce with them, but on the contrary, would give all possible Encouragement to such of the Subjects of *Spain*, as should run the Risque of trading with any of the Subjects of this Nation; and that as we were forced into this War by the Injustice and Obstinacy of the

for a while insisted upon by the Lords, was pass’d into a Law.

Of the † *Place* and ‡ *Pension* Bills, which came into Play again this Session, there is scarce any need to make Mention, after what we have been told by the ingenious Author of *Faction Detected*: That they were brought IN only to be thrown OUT. In the same Class may be ranged a Bill for securing the Freedom of Parliament, by the farther qualifying the Members to sit and vote in the House of Commons; which took its rise from the same Quarter, and met with the like Fate. Being rejected on the Question, in a summary Way, without even the Ceremonial of a Debate.

The *Minority* having made a Shift to carry || Two Bills for the better Supply of Mariners and Seamen to serve on board the

the Court of *Spain*, and by that alone, we would avoid as much as possible doing any Injury to the Subjects of *Spain*, farther than was absolutely necessary for compelling their Court to comply with our just Demands.

These were the Arguments made use of by some Gentlemen without Doors, what Weight there was in them, I shall leave to my Readers to judge.”

† Rejected by 223 against 207.

‡ Rejected by the Lords. Upon the Question for the Commitment, content 40, not content 52.

|| *Viz.* One to naturalize foreign Seamen, who should enter into the *English* Service, and One to protect such foreign Seamen from being press’d.

Fleet,

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Fleet, and assist in carrying on our Commerce, those at the Helm thought it behov'd them also to make a Pretence of the present Dearth of those very valuable Men, to make a new Acquisition of Power to the Crown.

Accordingly a \* Bill was brought in by Sir *Charles Wager*, for registering all Seamen, Watermen, Fishermen, Lightermen, Keelmen, Bargemen, and Seafaring Men capable of Service at Sea, throughout his Majesty's Dominions; which having been read once, was ordered to be read a second Time, and to be printed. The Consequence of which was, that many of the Members thinking it of † *dangerous* Tendency to the *Liber-*

\* See a Copy of it in the *Annals of Europe*, for 1740, p. 62.

† How dangerous may be gather'd from the following Extract of a Speech deliver'd upon that Occasion:

“ It is impossible to hear the Bill read, without being immediately alarmed at an open Attack upon the Liberty of many Thousands, who have, doubtless, the same Claim of Independency with other Britons, a Claim which they have not forfeited by any Crimes, and which, I believe, they value too highly to give up, for any Advantage that can be offered them in Recompence. What Reason can be assigned for placing these Men in a State which every other *Briton* would disdain? If the Design be to propagate Slavery, and to register one Class of Men after another, let the Sailors, at least, be the last that shall lose their Freedom. Let the first Register be filled with the despicable Names of *Penioners*, *Place-men*, *Sycophants*, and *Dependants*; but let the brave, the hardy,

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*Liberties of the People*, sent Copies of it to their Constituents, and Petitions were preparing in many Places to have been presented against it, in case the Bill had been pushed

dy, the honest Seaman retain his Liberty, till Luxury and Corruption, with which the Example of those, whom the World calls his Superiors, may in time, infect him, shall prepare him for Slavery.

“ Let us dwell, Sir, a short Time upon the State of a Seaman, registered, as it is intended by this Bill. He must appear whenever he is summoned, at all Hazards, whatever may be the Circumstances of his Family, or the State of his private Affairs, he must, in many Cases, expose himself to the Penalties of the Act, or leave his Family at a Time when his Assistance and Direction are absolutely necessary. He must, if he should by any Misfortune or Negligence, be encumbered with Debt, either fall under the Distresses which the Breach of this Law will bring upon him, or lie at the Mercy of his Creditors, perhaps exasperated by long Disappointments, or by long Practice of Severity hardened in Oppression. Nor, if he should, either by Industry acquire, or receive by Inheritance, an ample Fortune, is he in less Danger from the Bill before us; he may be torn from his Possessions, and forced into Hardships which no Man now undergoes but from the Sense of Fear or Want; so that this Bill equally disables a Sailor from avoiding Distress, or enjoying Prosperity.

“ Such, Sir, give me Leave to repeat it, will be the immediate Consequences with regard to our Sailors, but the Effect of this Bill will reach much farther. That every Discouragement of our Seamen is an Injury to our Merchants, is too plain to require Proof; and, indeed, what Regard has been paid to our Traders, is apparent from that Clause of the Bill that allows Sailors to be taken from our Trading Vessels in *America*. If the unhappy Merchants, engaged in that Branch of our Commerce, a Commerce far more beneficial than all others to the *British* Nation, if these Men, from whose Labours we derive all our Wealth, and that Power, which

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pushed; but the Bill being by an express Order read a second Time, and a Motion made for committing it, the Question was, without any considerable Debate, and without a Division, carried in the Negative.

A Proposal was then made for a *Voluntary Register* of Seamen, and several Resolutions were agreed upon by the Committee, as the Heads of a Bill for that Purpose; but when these Resolutions came to be reported, the *Third*, which provided, *That the Fraternity of Trinity House at Deptford, should have the Management of the said Register*, prov'd a Rock, on which all the rest were shipwreck'd; and so this hopeful Project became a Cast-away.

There still remains another very remark-

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which is the Consequence of Wealth, have been so unfortunate as to offend their ministerial Superiors, let them be punished with all the Severity due to so enormous an Offence; let their Trade be prohibited, and their Ships confined at Home by a *perpetual Embargo*, but let us not be so cruel as to suffer them to send their Ships to *America*, and then debar them from the Possibility of returning.

“ More need not, in my Opinion, be said to shew how little this Bill deserves our Approbation; if it should become a Law, nothing can be expected, but that all who are now engaged in the Business of Navigation, will leave their Employments, rather than their Liberty. At least, Sir, those Youth, whose Years allow them the Choice of their Profession, will never doom themselves to Slavery; so that by manning our Navy in this Manner, we shall put an End to our *Power* and our *Commerce*.”

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able Article relating to our Naval Affairs to be treated of; I mean the Petition of the Merchants against the late general and grievous *Embargo's*, which had detain'd Numbers of Ships, some of them laden with perishable Commodities for many Months in the River of *Thames* and elsewhere, &c.

This Petition was presented by Sir *John Barnard*, who likewise mov'd, “ That the Petition should be referred to the Consideration of a Committee of the whole House, and that the Petitioners, if they thought fit, should be heard by themselves, before the said Committee: But this being oppos'd, there ensued a long Debate, in which the two principal Arguments, insisted by those that were against the Question were, *1st*, That the Inconveniencies and Grievances complained of by the Petitioners, were such as could not be avoided at the Beginning of a War; for upon such Occasions, there was always a great Want of Seamen for manning the Navy, which made *Embargoes* and *Pressing* necessary, and this must of course be an Inconvenience and an Interruption to our Trade; but this it was impossible to prevent, because the general Safety was the first Thing to be considered in Time of War: Our Well Being was to be consider'd; but our Being was first to be considered:

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Our Well-Being depended upon our Trade; but our very Being, in Time of War, depended upon putting ourselves in a proper Posture of Defence at home; and therefore it was necessary to subject the former to some Inconveniencies, rather than neglect providing for the latter.

*2dly*, It was said, " That no Measures had been taken, nor any Inconveniencies brought upon our Trade in the present War, but what were warranted by the known Prerogatives of the Crown, and authorised by Precedents in the Time of the ablest, the greatest, and the best Ministers; to wit, in the Year 1692 and 1702; and that therefore the Petition then before them was to be looked on as an Encroachment upon the Prerogatives of the Crown; for if the Petitioners imagined they had been exposed to any unnecessary Hardships, they ought to have applied to be heard before his Majesty in Council, who had always shewn himself ready to hear the Complaints of the meanest of his Subjects; but that they had neglected to do this; for tho' they had presented a Petition, much of the same Nature, to the Council, they did not, in that Petition, so much as desire to be heard, either by themselves or Counsel, upon the subject Matter of their Petition.

To

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To the first it was answered, " That even our Being, as well as our Well-Being, depended so much upon the Encouragement and Protection of our Trade, That not only in Time of Peace, but also in Time of War, great Care ought to be taken not to subject it to any Inconvenience or Grievance, but such as it is impossible to avoid: That in Time of War, the Merchants knew their Trade must be exposed to some unavoidable Inconveniencies; but these they did not complain of: They complained of our Trade's being subjected to several great Hardships that were either unnecessary, or might have been, in a great Measure, prevented. This the Gentlemen, who argued in favour of the Question, endeavoured to demonstrate, by entering into an Examination of our Conduct since the Beginning of the War: They said, That many Landmen might be taken on board Ships of War, in order to make up their Complement, who, in a few Days, would learn to perform all Services upon Deck, as well as expert Seamen; and, therefore, an Encouragement should have been offered, as soon as we resolved upon Hostilities, for able-bodied Landmen to enter on board his Majesty's Navy, and no Augmentation made of our Land-Forces, till our Navy had been sufficiently

ciently provided : That if this Measure had been taken, no Embargo would have been necessary ; but suppose an Embargo had been found necessary, it ought to have been continued upon foreign Ships, as long as upon our own ; for to allow foreign Ships to depart, whilst our own were detained in Port, by an Embargo, was giving such an Advantage to foreign Navigation, as must destroy our own. To this it was added, That the new Method introduced, of giving Ships leave to sail, notwithstanding the Embargo, upon Condition of their furnishing a certain Number of Men, was a dangerous Encroachment upon our Constitution ; for it was, in effect, raising Money upon the Subject, without Consent of Parliament. Upon former Occasions, when an Embargo was laid on, Licences were granted to particular Ships, on account of the perishable Nature of the Cargo, on account of the Ships going on such a Voyage as must be proceeded on at a particular Season, or on account of some other Peculiarity in the Trade in which she was engaged ; but upon the late Embargo, all these Considerations were laid aside, and the single Consideration was, Whether the Merchants concerned, would furnish as many Seamen for the Government's Service, as they desired Pro-  
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tections for Seamen for their own, which was, in effect, compelling them to pay two or three hundred Pounds for Leave to proceed upon their Voyage ; for by our not encouraging Landmen to enter, by refusing many who were willing to enter, and by augmenting our Army, before providing for our Fleet, we had raised the Price of expert Seamen so high, that no Merchant could, at that Time, get a Seaman to engage in his Majesty's Service under a less Premium than ten or twelve Guineas *per Man*.

As to the second Argument it was admitted, " That the Power of laying on an Embargo was a Prerogative of the Crown ; but like all other Prerogatives, it was never to be exercised but in Cases of Necessity, and when it was proper for the Purpose designed ; neither of which was the Case at present ; nor were the two Embargoes mentioned any Precedent for an Embargo upon this Occasion. In 1692 we had certain Accounts of a speedy and formidable Invasion designed from *France*, which did actually put to Sea in less than two Months, after our having heard of its Prepararion, and was defeated by the glorious Sea Victory at *La Hogue* ; so that the Embargo at that Time was in a Case of great Necessity, and of a short Duration. In 1702 again, a very proper and  
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prudent Resolution was taken to begin the War by a vigorous Attack upon *Spain*, before they could have any long Time to prepare for their Defence; which was accordingly executed very speedily; for the War was declared the 4th of *May*, and the Fleet designed for this Purpose, with a sufficient Number of Land Forces on board, though we had not then such a Number in the Island as we have at present, sailed on the first of *July*; so that the Embargo at that Time was probably designed to prevent the Enemy's hearing of our Preparations, rather than as a Method for the speedier manning of our Navy; and if at either of these Times it was designed for the latter Purpose only, it seem'd to have been found ineffectual; for it was never afterwards practis'd, in all that War; though there Invasion, and a very sudden and unexpected one too, was afterwards design'd, and defeated, without putting a Stop to our Trade by an Embargo. For these Reasons, it was said, the Petition was not an Incroachment upon the Prerogatives of the Crown, but a Complaint against an improper and unnecessary Exercise of one of the Prerogatives, which might have been brought to Parliament, without any sort of Application to Council; but the Merchants had not done so: They had

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had first carried their Complaint to the Council; and if, in their Petition, they had not expressly desired to be heard, it was because they thought they would of course be called in to be examined, as to the Grounds of their Complaint; for which Purpose many of them did attend; and some of them expressly told one of the Clerks of the Council, and desired him to inform the Lords of the Council, That the Merchants expected to be called in, to explain more at large the Grounds of their Complaint, and the Methods they thought most proper for redressing their Grievances without injuring the public Service."

But in vain were all these unanswerable Arguments urg'd; the Vial of *Ministerial Wrath* was not yet empty'd; and, for that Reason only, it must be presum'd, the Question pass'd in the Negative.

The Minority, however, had the good Fortune, at last, to frame a Motion, which those in Power had not the Assurance to defeat, *viz.* "That an humble Address be presented to his Majesty, as a dutiful Return to his gracious Desire of the Advice of his Parliament at this critical and important Conjunction; and as a further Testimony of our firm Resolution, vigorously to support his Majesty in the Prosecution of the



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War against *Spain*, humbly to beseech his Majesty never to admit of any Treaty of Peace with that Crown, *unless* the Acknowledgment of our natural and indubitable Right to navigate in the *American* Seas, to and from any Part of his Majesty's Dominions, without being seized, searched, visited or stopped, under any Pretence whatsoever, shall have been first obtained as a Preliminary thereto."

Upon this Occasion there were several Gentlemen spoke for and against the Conduct of our Negotiators and Ministers; but the Motion itself being acknowledged to be right, by every Gentleman that spoke upon the Subject, it was agreed to *Nemine Contradicente*.

After which, it was communicated to the Lords; who, having signified their Concurrence, it was presented to the King by both Houses, and his Majesty was pleased to return the following most gracious Answer:

My Lords and Gentlemen,

*I thank you for this dutiful Address, which is so agreeable to former Resolutions of both Houses of Parliament. Your unanimous and vigorous Support in carrying on the War,*  
will

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*will be the best Means of procuring safe and honourable Terms of Peace; and you may RELY on My utmost Care and Endeavour, to obtain effectual Security for the just Rights of Navigation and Commerce belonging to my Subjects.*

But, according to the Proverb, *One Swallow did not make a Summer*; and it soon appear'd, that this Concession to the *Humour* of the People, was to be no Precedent in any Point of Interest:

For, when a Motion was made by Mr. *Sandys*, for an Address, containing the Advice of the House, That the Body of *Marines*, intended to be rais'd, might be rais'd in the *most frugal* manner, and put upon the *least expensive* Establishment, by having as *many private* Men and as *few Officers* as possible, it pass'd in the Negative, Ayes 95, Noes 177.

As did also another \* Motion for Copies or Extracts of such Memorials, &c. as have been made to the Court of *Spain*, since the Treaty of *Seville*, relating to Depredations. Yeas 98, Noes 172.

And, likewise, a † Third (without a Division) for Copies or Extracts of all Let-

\* Made by Sir *William Wyndham*. † By Mr. *Pulteney*.

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ters and Instructions from the Secretary's, or Admiralty Offices, to Governors of Plantations, Captains of Men of War, the King's Minister in *Spain*, and Consuls in *Europe*, since the said Treaty of *Seville*.

And yet a † Fourth, for Copies of all Instructions and Letters to Mr. *Keene*, by his Majesty's Ministers, authorising him to conclude and sign the *Convention*.

Again, when Lord \* *Polwarth* (who was then in a Capacity of making his eminent Abilities, as eminently serviceable to his Country) had mov'd for an Account of what Ships had been contracted for to be built in Merchants Yards, or bought by the Commissioners of the Navy, for his Majesty's Service, from *Christmas* 1738, to *Christmas* 1739, and by what Authority, distinguishing the Prices of each Ship, and what had been, or was proposed to be laid out upon any of them, to fit them for the Service for which they were intended. The Majority seem'd to think it an Intrusion into the *Ministerial Holy of Holies*, and refus'd to have the Veil remov'd.

Nay, such Confidence was placed in the Power of Numbers, That tho' it was manifest a certain Member had accepted an

† By Mr. *E. Waller*. \* Now Earl of *Marchmont*.  
Office,

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Office, during Pleasure, of 200 *l. per Ann.* Value, and consequently seem'd to be within Reach of those disabling Clauses, which render'd his Seat in the House incompatible with his said Office, the contrary was voted by 223 against 132.

And when the same accomplish'd Member (Lord *Polwarth*) who had put the House upon this Scent, requir'd, "That a Committee be appointed to enquire what new Offices, or Places of Profit had been created or erected since the 25th Day of *October*, in the Year of our Lord 1705; and also, whether there were any greater Number of Commissioners made or constituted for the Execution of any Office, since that Time, than had been before employed in the Execution of such respective Office;" his honest Zeal was check'd with another Negative of 196 to 154.

Posterity will, perhaps, be amaz'd to find we are not yet come to the End of this dirty Road—but so it is; and we are still to go thro' two or three Plunges more.

Another Attack was made on the *Convention* by the great Mr. *Pulteney*, who, on the Authority of former Precedents, mov'd for all the Powers, Instructions, Memorials, Letters and Papers relating thereto; upon which Occasion it was urg'd, "That when

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any public Measure occasion'd a general Discontent to arise among the People, it was the Duty of that House to enquire into the Cause of the People's Discontent, and to give them Satisfaction, which that House would always be able to do by a strict and impartial Enquiry; because no public Measure could raise a general Discontent, unless it was either very wrong in itself, or very artfully and maliciously misrepresented to the People. If the Measure was wrong in itself, that House, by a strict Enquiry, would be able to discover the Authors and Advisers of it, and their being brought to condign Punishment would give Satisfaction to the People. On the other hand, if a Measure, right in itself, had been artfully and maliciously misrepresented to the People, That House would always have it in their Power, by a strict Enquiry, to set the Affair in a true Light to the People, to rectify the false Notions and Prejudices that had been artfully instilled into them, and to detect and punish the Authors of those malicious Misrepresentations. To enquire into any public Measure that had raised Murmurings and Discontents among the People, was therefore a Duty they owed not only to their Country, but their Sovereign. If the People had been misled by seditious Defamers of

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of the Government, it was the Duty of that House to set them right, in order to prevent their being blindly led into Tumults or Insurrections: If the King had been misled by wicked or weak Counsellors, it was the Duty of that House to enquire into the Affair, in order to remove the Resentment of People from the Throne, and to direct it where it ought always to be directed, against those that had imposed upon or misled their Sovereign.

“ This being the Case, it was from thence apparent, That they ought to enquire into the Affair of the late *Convention with Spain*, because no public Measure had ever occasioned a more general Discontent in this Nation; and as they could not enquire into that Affair without having the Papers then moved for, before them, they ought to agree to the Motion. If the late *Convention* was a right Measure; if it was such a Treaty as could any way be justified, the Ministers would promote a strict and impartial Enquiry into it, in order to remove from themselves the Scandal of having negotiated and agreed to one of the most dishonourable and destructive Treaties that ever *England* was led into, which was then the general Opinion the People had of it; and in order to have those Men punished, that had

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so falsely and maliciously aspersed their Conduct: But if it were really such a Treaty as it was then generally believed to be, that House was, in Duty to their Sovereign, obliged to enquire into it, in order to remove the Scandal from the Throne; and in Duty to their Country, in order not only to punish those who had misled the King, but to do what was of much more Consequence to the Country, to prevent their having any Thing farther to do in the Administration of our public Affairs.

“ On the other Side, the principal Argument made use of, was the usual one of its being dangerous and inconsistent with the public Safety, to have the Papers moved for, laid before so numerous an Assembly, because it would discover all the Secrets of our Government to our Enemies; and, moreover, it was said, That a Clamour, artfully raised among a few People, was not to be called a general Discontent, and therefore was not a sufficient Cause for taking up the Time of that House, and diverting the Attention of our Ministers from the public Affairs of the Nation in the Time of a dangerous War, by setting up a Parliamentary Enquiry into their former Conduct; which was the Reason that no such Enquiry was ever set on Foot into any public Measure,

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Measure, but such as was supposed to be wrong by a Majority of the Members then present: That a public Measure, which had been approved by one Parliament, might, perhaps, be enquired into, and condemned by another, because different Parliaments were very often of different Complexions; but as the *Convention* had been approved of by that House, it would look very odd, and would be inconsistent with the Character of that august Assembly, to set on Foot an Enquiry, in a subsequent Session, into a Treaty that had been approved of in the very next preceding Session of the same Parliament.

“ To this it was replied, That supposing the Papers moved for, contained Secrets of the utmost Importance to the public Safety; yet there was no Danger in having them laid before a select and secret Committee of that House; for if the contrary should be admitted as a general Maxim, it would render it impossible for that House ever to enquire into the Conduct of any Minister whatever: That the Precedent, which had been read to them, shewed, That no such Maxim had ever been admitted; and as the Design, upon this Occasion, was to follow that Precedent, therefore the Danger of discovering the Secrets of our Government to  
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our Enemies, could be no Objection to the Motion then before them; because, as soon as the Papers proposed to be addressed for, should be laid before them, a Motion would be made, for referring those Papers to a Committee of Secrecy, and that Committee would certainly take Care not to report to the House any Secrets, which, by being discovered, might be of dangerous Consequence to the public Safety: That the many Petitions which had been presented against the *Convention*, was a full Proof, that the Clamour against it, was not a Clamour artfully raised among a few People, but such a one as shewed a general Discontent; and, therefore, such a one as made it the Duty of that House to enquire into a Measure which had been so generally complained of; especially as that Treaty had failed of producing the Effect which its Friends so strongly asserted it would. That it was wrong to say, the Treaty had been approved of by that House: So far otherwise, that nothing prevented its being censured when it was first laid before them, but the Hopes so confidently given, That as it was but a Preliminary, it would certainly, and very soon, produce a safe and honourable Peace; whereas it then appeared, That this Preliminary had certainly, and very soon,

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produced a dangerous and expensive War. The Convention therefore was not approved of by Parliament, and it had since been condemned not only by the whole Nation, but by the King himself, and even by those very Ministers that had concluded it; for the very Principles of the War was to consider our Right, *not to be searched*, as an indubitable Claim, that would not admit of any Discussion; whereas the Principle upon which the Convention was built, as well as all the Negotiations that preceded it, was to consider this Claim, as a Claim that required to be discussed, and to be regulated.

The more Light is admitted, the closer some People shut their Eyes; we are not, therefore, to wonder, that even this Debate ended like the rest, in a Negative, I think, without a Division.

But tho' these unfortunate Patriots of ours could not detect what was wrong, they made a Shift to reflect a Beam of Honour upon what was right. Intelligence having, by this Time, been received of Admiral *Vernon's* \* gallant and successful Enterprize at *Porto-Bello*, an Address of Congratulation

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\* For which, in one of his Letters, he thought himself obliged, it seems, to make a kind of Excuse, by urging, *That he hoped it might be understood to be within the Meaning of his Instructions.*

was carry'd in the Lords House, and sent down to the Commons for their Concurrence, which, for this once, was not only obtained, but with the glorious Specification, That the Admiral had perform'd this signal Exploit † with *Six Ships of War only*, by way of ‡ Amendment.

This Triumph, however, was very short, and we shall soon have Cause to see, that this little Success was rather a Surprize than a Victory.

A Motion was some Days after made by *Alexander Hume Campbell, Esq;* 'That the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, do lay before this House, a List of such of his Majesty's Ships of War, as have been employed as Cruizers, for the Protection of the Trade of this Kingdom on this side *Cape Finisterre*, since the 20th of *July* last, distinguishing the Time each Ship was order'd to remain, and the Time such Ship did actually remain on such Cruize, together with the Reasons of her returning to any Port of this Kingdom.'

This Motion being opposed, it occasioned

† The Admiral had formerly undertaken, in the House, to make himself Master of that Port with *Six Ships only*.

‡ On a Division of 36 to 31; at the Head of which Minority was *Sir Robert Walpole*.

a long Debate; in which the chief Argument made use of for the Motion was, That as that House, by our Constitution, was the grand Inquest of the Nation, they had a Right to enquire into the Management of Public Affairs; and it was their Duty to exercise that Right as often as any reasonable Ground of Suspicion appeared. In support of this Argument it was said, That frequent Enquiries had been made, during the War, both in King *William* and Queen *Anne's* Time, and that no Motion for that Purpose had been ever refused: That in former Times parliamentary Enquiries into the Conduct of our Ministers, were very frequent, and but seldom refused, even when insisted on but by a very few Members of that House; because, in those Days, the Friends of the Minister knew, that there was a very great Difference between an Enquiry and a Censure; but to such Gentlemen, of late Years, every Enquiry appeared hideous; they seem'd now to confound the two Terms, and to suppose, that Enquiry and Censure were synonymous Words; or, at least, that a Parliamentary Censure would be the certain Consequence of a Parliamentary Enquiry, which was no great Compliment to the Conduct of the Minister whose Power they seem'd so zealous to support.

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As this Argument led Gentlemen to examine the Conduct of the Administration, and the various Events of the War, in order to shew that there was some reasonable Ground to suspect Mismanagement in our Public Affairs, they complained, That as we had been for so many Years in profound Peace, tho' seldom or never in profound Quiet, it was easy to foresee, that there would be a great want of Seamen at the Breaking-out of the War; therefore, they should have endeavoured to supply this Want, by putting some of our Foot Soldiers as Marines on board our Ships of War, and by giving great Encouragement to Landmen to enter into the Sea Service; but instead of this, no one Soldier was put on board any of our Men of War, no proper Encouragement offered for Landmen to enter into his Majesty's Service, even many of those that might have been had without any *Premium* were refused, and Methods were taken for supplying the Navy with expert Seamen, which greatly distressed our Trade, and which, nothing but the utmost Necessity could justify. An Embargo was laid on, and a hot Press begun, and continued with such Severity, that no Merchant-Ship was allowed a Protection for her Men, unless she furnished one Man for the King's Service,

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vice, for every four Men she desired to be protected for her own Service; which was really laying a Tax, without Authority of Parliament, upon the Merchants of this Kingdom, because they could not procure a Man for the King's Service, without a *Premium*, or Bounty-Money; which, by the long Continuance of the Press, had arisen from *Forty Shillings* to *Ten Guineas per Man*. This Tax, they said, was to the full as illegal as the Tax called *Ship-Money*, which raised such a Combustion in King *Charles* the First's Reign, and was much more unjust; because this new sort of Tax was raised upon the Merchants in particular, whereas the other was propos'd to have been rais'd upon the whole Nation in general: But this was not the only Grievance; for, when a Merchant Ship, outward-bound, had procured her Quota of Men, these Men were refused by the Regulating Captains, as not being fit for the King's Service, and yet Protections were denied, even for those very Men that had been so tendered and refused; which look'd as if a Man, when pressed, might be deemed fit for the King's Service, tho' he could not be deemed so when voluntarily offer'd; and for this, no Reason could be assigned; but that an Officer of a Press-Gang had a Perquisite of *eight or ten Shillings*

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*Shillings* for every Man he pressed, whereas he got nothing by those that voluntarily entered.

They farther complained, That there had been great Neglect in appointing both Cruizers and Convoys, especially the former: That, in consequence of this, great Numbers of our Merchant-ships had been taken, and of them, no less than five had been lately taken in our own Channel, which was not only a great Indignity, but a certain Proof, that there had been a Neglect either in appointing Cruizers, or in the Cruizers that were appointed, but they believed it to be part of both; for, so far as they could learn, there had not been a sufficient Number appointed, nor those that were appointed, properly stationed; and, what was still worse, no one of them seemed to have been diligent in their Duty, except Capt. *Cleland* alone, because they had not heard of so much as one Privateer's being taken or destroyed but by that Gentleman, who had but just left the Merchant's Service, and returned to the Service of the Navy; and, therefore, it were to be wished, that most of the Gentlemen of the Navy would, in time of Peace, employ themselves in the Merchants Service, because it would make them acquainted with the Mer-

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Merchants, and consequently more sensible of the Dangers their Ships are exposed to in time of War: That as to our Cruizers in general, it was well known, that many of them loitered away one half of their appointed Time in Port, where they should never come but in case of Necessity; for, if they were out at Sea during the whole Time of their Cruize, they would be more in the Way of intercepting the Enemy's Privateers, and of being a Refuge to our Merchant Ships, in case of their being attacked at Sea; and yet no Example had been heard of since the War began, of a Captain's being so much as reprimanded for returning to, or staying in Port, without a Necessity for so doing.

To all these Facts and Arguments, the *Minister* and his *Satellites* put in the best Answer they could, consisting, as usual, of daring Assertions and plausible Fallacies; which, in the Reply, were again reduced to their primitive Nothingness; but to no Purpose; for the Question being then put, all the Advantages which had been gain'd by Reason, were lost by \* Numbers.

Our *Patriots*, however, return'd once more to the Charge; and Mr. *Hume Camp-*

\* Yeas 97, Noes 145.



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bell, three Days after, made another dextrous Motion in the following Terms:

“ That an humble Address be presented to his Majesty, humbly to beseech his Majesty, that he will be graciously pleased to give Directions, that, over and above the Ships of War he shall think proper to employ against the Enemy, *a sufficient* Number of his Majesty's Ships may be appointed to cruize in proper Stations, for the effectual Security and Protection of the Trade of his Majesty's Subjects.”

But our great and able Minister being alike aware of the Insinuation, and the Unpopularity of rejecting it entirely, had the Address, to get rid of both Difficulties, by proposing, in the way of Amendment, to leave out the Words, *a sufficient*, to put in their stead, *such a*; and at the End of the Motion, to add these Words, *as shall be consistent with the Defence and Protection of his Majesty's Dominions, and the safe convoying the Trading Ships of this Nation to and from foreign Parts.* Which being agreed to, an Address was order'd, and presented accordingly; and his Majesty was advis'd to return the following Answer: “ ALL POSSIBLE CARE has been taken in carrying on the War against Spain in the most PROPER and EFFECTUAL Manner, and at the same time for protecting

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the Trade of my Subjects; and you may be assured, That the SAME CARE shall be continued.”

The Patriots having now done their worst, and the Minister his best, it was thought adviseable to close the Session, which was accordingly done \* April 29; upon which Occasion his Majesty deliver'd a most gracious Speech, in which are to be found the following Expressions:

“ As this great and NATIONAL Undertaking is the PRINCIPAL Object of our Attention and Expectations; so the Justice of our Cause, and the Success which has hitherto attended my Arms, give us the most reasonable Hopes, that, by the Continuance of the Divine Assistance, we may see a happy Issue of it.

“ I have formerly recommended to you Union amongst yourselves, as being highly conducive to the carrying on this great Work with Honour and Advantage, and to the more speedy obtaining of all possible Justice and Satisfaction from the Crown of Spain, for the many grievous Injuries suffered by my Subjects, and effectual Security for the Freedom of our Commerce and Navigation for the future. I do now earnestly exhort you to promote and extend that Union in your respective Countries. Let

\* About this Time the Duke of Argyle was deprived of all his Places.

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*the Support of the common Cause of the Nation prevail, to attain this desirable End. Our Enemies must already have been made sensible, in some Degree, of the Weight of our just Resentment. They see my Kingdoms in such a Posture of Defence, as must render all Attempts from them, without Encouragement from amongst our selves, vain and desperate: They see the Trade and Navigation of my Subjects protected, as far as the Nature and Circumstance of a Maritime War will possibly admit; and, at the same time, the most valuable Branches of the Spanish Commerce greatly interrupted, and subjected to many Difficulties and Losses. From these happy Effects of my early Endeavours, and your ready Concurrence, at the first Entrance into the War, I cannot but hope, that the Preparations, which I am now making for carrying it on in the most proper Places, and in the most vigorous and effectual Manner, will be blessed with Success, equal to our just Expectations."*

It is somewhat remarkable, that the Repeal of the Clause in the *Act of Settlement*, which provided, That no King or Queen of *England*, should quit the Realm without Consent of Parliament, had so far weaken'd the Claims of the People upon that Head, that his Majesty, in this Speech, did not so much as mention his Design to visit his

*German*

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*German Dominions* this Summer; and yet, in less than a Fortnight after, it was his *Royal Pleasure* to set out upon that Expedition from *St. James's*, leaving the Public to the Care of a Regency, supported by three Bodies of Troops, encamped at *Hounslow*, *Windsor Forest*, and *Newbury*; to say nothing of the Guards in and about *London* and *Westminster*.

Having already seen the Government arm'd at all Points, by the unbounded Generosity of the People, let us see how the great and national Undertaking we were engag'd in, was made the principal Object of the Attention of the Government.

It hath been already mention'd, That from the Moment our Minister foresaw that the Convention would not answer his Purpose, Admiral *Haddock* was order'd to continue with his Squadron at *Gibraltar*. The *Spaniards* were as yet weak and defenceless in the *West-Indies*, where it was always understood our most vigorous Efforts were to be made. Even so late as *Dec. 1739*, we had taken up Transports, as if to be instantly employ'd in some Expedition to those Parts, together with the Marines which were then raising. The Enemy, therefore, could not help being in Pain for the Event; they had a pretty strong Squadron in *Cadiz*, and were making

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the best Preparations they could for their own Defence; but while *Haddock* was in fight, neither these Preparations, nor that Squadron, could be of any Use: *Haddock*, however, at last, withdraws, with some few of his Ships, which, as it is intimated in a Letter of *Sir Chaloner Ogle* to the Duke of *N.* dated *March 7, 1739-40*, wanted refitting, to *Mabone*; but leaves *Sir Chaloner*, with the rest of the *Fleet*, to have an Eye upon *Cadiz*: While Things were in this Situation, the Government receives \* Intelligence of a Design against *Mabone*; upon which Orders were dispatch'd to the Admiral to quit his former Post, and sail thither forthwith. These Orders fell into the Hands of

\* Which was contained in two Papers, as follows, viz. Letters from *Barcelona* the 16th of *January* advise, 'That Orders were given there to transport 60 Pieces of Cannon to *Majorca*; that they had taken up four Vessels to carry Part of them; that Orders were given for 28 Battalions to hold themselves in Readiness to embark the first Opportunity.' The next Paper is without Date or Place mentioned, and says, 'It is very probable, that Orders have been given to hire and take up Transport Ships, since the General Officers, who are named to command the Troops designed for *Majorca*, have received Orders to repair immediately to *Barcelona*.'

In a Letter from the Secretary of State to Admiral *Haddock*, dated *April 4, 1740*, there is the following Paragraph:

'Nothing is to be apprehended from the Naval Power of *Spain*, Monsieur *De Bene* having no more than four or five Ships at *Carthagena*.'

Sir

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*Sir Chaloner Ogle*, as the commanding Officer in the Absence of the Admiral, who thought it his Duty to join him at *Mabone*, with the rest of the Squadron, that he might not be in want of Ships in a Capacity of performing the Service directed.

This was the favourable Opportunity the *Spaniards* waited for. - Accordingly, before the End of *March*, their Fleet, which had so long been coop'd up within the Port of *Cadiz*, ventur'd to put to Sea, and made a Shift to get safe into *Ferrol*.

On the Receipt of this News, our Ministers seem'd to be in a Pannic; they dispatched Orders, dated *April 18*, to *Haddock*, to send *Ogle*, or any other, with Ten Ships to the West Indies, if the Spanish Squadron had taken that Course; or if to *Ferrol* or *England*, to follow them as fast as possible: And, having before this, viz. *April 2*, order'd *Balchen* to go immediately with the few Ships that were ready, and prevent the Spanish Squadron at *Ferrol* from going to *Cadiz* or the West Indies; on the said 18th, they sent Orders to the same Admiral, signifying, That if he found the *Ferrol* Squadron gone to the West Indies, and no Embarkations making for *England*, then to return Home: And yet, on *April 24*, they order'd ten Ships of the Line to be fitted out with the utmost Expedition for the *West Indies*: But, after all,

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no sooner was it certainly known here, that the *Cadix* Squadron was safe at *Ferrol*, but both *Balchen* and *Ogle* were order'd Home. All was calm, and it was suppos'd, That *Norris*, with the vast and mighty \* Squadron under his Command, tho' not permitted to go out of the Channel, or to protect our Trade in it, would at least defend us at Home, which is all that was required at his Hands; unless it was any Part of his Instructions to entertain his Highness the Duke, who was on board as a Volontier, with the *Humours of the Navy*.

It is necessary to take some Notice of the Conduct of *France* here, and what was to be expected from thence at this Crisis: They had been for some time preparing to put to Sea a considerable Fleet from *Toulon* and *Brest*; the Advices of it were strong and frequent; it likewise was foreseen by Admiral *Vernon*, and our Colonies; the last of which more particularly mentions it, and enters into such a Detail, as tends to prove, that it was easy to foresee their Designs were for the *West Indies*; which appears by the

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\* It consisted of between 20 to 30 of the largest Ships in the Navy, and had afterwards the Honour to be numbered among the Cruizers appointed for the Security of our Trade, in a List laid before the House of Commons.

Letter

Letter from the Secretary of State to the Lords of the Admiralty, dated the 24th of *April* 1740, with the *Barbadoes* Petition inclosed; in which they set forth, That the *French* were buying up great Quantities of Beef in *Martinico*, and that they were likewise buying up great Quantities of Beef, for their Fleet at *Brest*, in *Ireland*, and therefore desire Ships for the Protection of that Island, because of the Danger there would be, if any Fleet went against it. The Answer of their Lordships to it was founded on great Foresight and Penetration; for it signifies, *That this Petition was on the Supposition of a War breaking out with France, which did not appear to them.* In this very Month too, the \* Declarations of

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\* And what they were, may be collected from the following Paper, or rather Manifesto, which was publish'd at *Paris* about the Time that it was suppos'd, that the *French* Fleet was sent to the *West-Indies*.

“ Since the Departure of the *Brest* and *Toulon* Squadrons so many different Reports have been spread, especially in *England*, concerning the Motives which determined that Resolution, and concerning the Intentions of the King in the present Circumstances, that it has appeared necessary to enable the Ministers of his Majesty, in foreign Courts, clearly to make known the Principles of the Conduct which he has hitherto observed, and the End which he proposes.

“ It was not without much Pain, that the King saw, in 1738, the Seeds of Discord arising between *Spain* and *England*: The Opening of the Conferences at *Madrid*, give some Hopes of an Accommodation; but the unforeseen Rupture of those

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of *France* to our Court, after the Taking of *Porto Bello*, were so very plain and explicate, in respect to the limiting our Operations of War in the *West-Indies*; and the Tendency of

those Conferences made it be suspected, that *England* was very far from really entertaining pacific Sentiments; and the Hostilities that the *English Nation* began in *America*, before the Declaration of War could be known there, left room no longer to doubt of its Intentions.

“ The King, however, thought proper to see what would be the Consequences of this War, before he took any Part in it; the Views of the *English Nation* were not yet fully manifest: It was believed, that the Warmth of some Tempers had hurried it into the taking of violent Measures; that it had no other Design at the Bottom, than to do itself Justice for some pretended Vexations of the *Spanish* *Guarda-Costas*; and that after this first Ferment had subsided, both Sides would have fallen upon the Means of Reconciliation.

“ Not but that *France* had, on her own Part, great Causes of Complaint against *England*, perhaps more considerable than those which had kindled the War between the Catholic King and the King of *Great-Britain*: Many *French* Ships had been stopt, visited, and searched, as well in *Europe* as in *America*; the Letters which these Ships had on board, taken and carried away, against the Law of Nations, and the Faith of Treaties, and other Violences still more remarkable, whereof Complaints have been in vain made, might have been sufficient to have excited the King to do himself Justice; but his Majesty has connived at all these Infractions; not having been at all inclined even to permit *French* Privateers to help, in any sort, to disturb the *English* Navigation: Still more important Subjects were necessary to overcome the Moderation of his Majesty.

“ The *English* had hitherto only made War by Sea, but they soon formed Enterprizes upon the Continent. The taking of *Porto Bello* was followed by that of *Chagra*. The Demolition of these two Forts opened a Door to their counterband

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of their Preparations in *France* was so visible and certain, that it is with the utmost Astonishment, we see the Administration so self-contented and quiet, from a thorough Per-

terband Trade, to the Prejudice of the Commerce of all Nations; and their Armaments encreased to such a Degree, as to give the most sensible Disquietudes about what might be the Consequence thereof.

“ Since that Time, the Ambassador from *Great Britain* was told, in the Name of the King, that, how patient soever *France* had shewed herself in her Expectation of Satisfaction for the irregular and violent Proceedings of several *English* Officers, it was not to be imagined that she could look with an indifferent Eye upon the Enterprizes that the *English Nation* might form in *America*; nor that the King would suffer it to make any Settlement in the *Spanish West-Indies*. This Declaration was made known to all the foreign Ministers who reside at the Court of *France*; and was renewed as soon as it was perceived, that the Preparations against *America* more evidently discovered Projects of Conquest: And the Ambassador of *Great Britain* not giving any Answer upon a Subject so interesting, the King judged he ought no longer to defer causing his Ships to be equipped, in order to put himself in a Condition to prevent a Danger, which became every Day more than other pressing.

“ *England*, at length, makes no longer a Mystery of her Intentions, after she thought her Measures so effectually taken as to be impossible to be therein defeated. She caused 8000 Regular Troops to embark, in order to join those which she had ordered to be raised in her Colonies. The Nation, not in the least doubting of Success, foretold, as a Thing certain, the Conquest of the *Havanna*. Admiral *Vernon* formally declared, by his Letter of the 8th of *May* last, to the Governor of the *French* Part of the Island of *St. Domingo*, that he had Orders to take *Carthagena*; and the Manifesto sent to Lord *Cathcart* to be publish'd in *America*; which no Pains were taken

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Persuasion, that *France* would not go to War with us on this Account; that therefore all was safe, and that their Menaces and expensive Preparations, both in *Europe* and

taken to keep *private*, has evidently demonstrated the Tendency of those prodigious Armaments, of which there never was the like seen.

“ It was then that the King knew he had not a Moment to lose, in order to obstruct Projects; the Execution whereof would destroy all the Treaties and Conventions which have been made, as well at the Congress at *Utrecht*, as since the Conclusion thereof, for the Balance of the Commerce of *Europe*. His Majesty had nothing else in view, than the Maintaining of these Conventions. The Orders which he has given to the Marquis *d'Antin* tend solely to this End, his Majesty having very expressly enjoined him not to interrupt the lawful Commerce of the *English* Merchants, and to make known to all the Commanders and Governors of the *French* Colonies, that such are the Intentions of his Majesty, and that they must exactly conform thereto.

“ There have, in the mean time, some Precautions been taken on the Part of his Majesty at *Port de l'Orient*, and at *Dunkirk*, to prevent any Surprise from *English* Pirates; the Insults that our Ships have undergone, even in the Time of the strictest Impartiality of *France*, render at this Time these Precautions still more necessary.

“ Such is, according to the most exact Truth, the Conduct which has been hitherto observed on the Part of the King, contrary to which nothing can be alledged. The Court of *London* has, nevertheless, manifested the sharpest Resentment to the Works pretended to be carried on at *Dunkirk*, as tho' *France* had failed in the solemn Engagements which she entered into at the Treaty of *Utrecht*.

“ It's easy to judge, after what has been suggested, on which side has been the Infraction of Treaties, whether on the Part of *France*, which has contented herself with establishing four Batteries at *Dunkirk*, without raising any Fortifications,

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and *America*, would evaporate in Smoak, like our own. It does not seem to have once entered into their Heads, till the *French* Fleet failed, that it was possible for them ever to go there; tho' they knew the *French* had been making Preparations for it; that it was the only Place in which they could effectually limit our Operations; the only Thing left them to do; and what our Ministers could alone suspect they would do; since they were so entirely convinced, that *France* would not enter into an immediate War with us: And yet, tho' they knew in *April*, that the *French* were buying up Provisions in *Ireland*, they never laid an Embargo on them there, till the *French* Squadrons had been failed about two Months to the *West Indies*.

The Orders given at home (and nothing else was done but giving Orders) to *Norris* and *Balchen*, and others, are nothing but one continued Heap of Uncertainty and Irresolution, varying without any seeming Cause or Design; for as it never seems

fications, nor making any sort of Works, declaring at the same time, that these Batteries would be destroyed as soon as Tranquillity should be established; or on the side of the Court of *London*, which no longer conceals the Project that it has formed, of invading, with open Force, the whole Commerce of the New World.”

to have entered into our Ministers Heads, that the *French* could sail to the *West-Indies*, so likewise, they never dream'd that it was possible for the *Spaniards* to escape a second Time, and sail thither from *Ferrol*: All Hopes seem to have been placed on our mighty Fleet, some how or somewhere, that it would prevent, either the whole, or any Part of these separate Fleets sailing to the *West-Indies*. It is reckon'd the *Ferrol* Squadron sailed the End of *July*, and the *French* Squadron about the 11th of *August*. When, therefore, this is consider'd, and that Intelligence might and must have been received from *France*, of what was passing there, one can scarce even now forbear laughing, to see the whole Month of *August* filled up with a Parcel of Orders for embarking sometimes one Regiment, sometimes two, on board the Squadron with *Balben*, and then again the same, backwards and forwards, on board the Fleet with *Norris*; till at last, on the 26th of *August*, they ordered one Regiment to *Balben*, and on the 29th one to *Norris*; soon after which, they acknowledge to have received Advice of the Sailing of both Fleets.

Strange and unaccountable as that Summer's Conduct appears, it is impossible to solve it, without being convinced that our  
Mini-

Ministers, and all they employ'd in their Naval Affairs, were possessed by the same Spirit; and were firmly persuaded, that *France* could not hurt us, or was capable of having any other Views than the Junction of their two Fleets; which, it might be hoped, would be prevented by Sir *John Norris*, if he could sail: And yet, even this could not be supposed, by any other Set of Men, without seeing that, in such a Case, *France* was ready, and must soon break with us. Yet it is plain, That This did not admit, in some material Instances, of any such Supposition amongst them; no more than the Possibility of changing the Seat of War from the Seas of *Europe*, to those of *America*; and a strong and unanswerable Evidence of this Prepossession appears by their Conduct, in sending the Convoy and Transports to Admiral *Vernon*; who was acquainted, by the Letter of the 4th of *July*, from the Secretary of State, That the Convoy with the Transports, would be, one 70, and three 60 Gun Ships: The 24th of *July*, which was after the *Spaniards* were sailed from *Ferrol*, the said Convoy was to be, one Third Rate, five Fourth Rates, and one sixth Rate; and the Transports would have actually gone with this small Convoy, had the Winds permitted; the Troops being all embarked the

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4th of *August*; which had they done, they might, in all Probability, have been destroyed by the superior Power of the Enemy.

Did not these Facts appear upon their own Papers, it would scarce be credited, That only Seven Men of War should then be sent to the Assistance of Admiral *Vernon*, and for a Convoy of this Importance; and yet we see, by those very Papers, that, upon Suspicion of but one Part of the *Spanish* Fleet having sailed but a few Months before to the *West-Indies*, 20 Men of War were to be sent after them, as necessary to reinforce *Vernon*.

Upon the Whole, let it be for ever remember'd, That the *French* and *Spanish* Squadrons, consisting of near 30 Men of War, arrived at *Martinico*, in the beginning of *October*; and that our Forces, under the Command of Lord *Catbcart*, and the Convoy of *Ogle*, who had been employ'd in the Channel Service \* with *Norris* all the Summer, did not sail from *St. Hellens* till the 26th of the same Month; so that it is little less than a Miracle, that all our *Sugar Islands* did not become a Prey to the Enemy.

\* Who returned to *Portsmouth*, September 8.

To-

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Towards the End of this Summer, likewise, viz. *September* 18, Commodore *Anson*, with one Ship of 60 Guns, two of 50, one of 40, a Sloop, and some Store-Ships, all with their full Complement of Men, and some Land Forces, set out in quest of Adventures, in the *South Seas*; with what ill Success is already known; with what Views may be worth Enquiry.

But the great Event of this Year, was the \* Death of the *Emperor*, which happened at his Palace, call'd the *Favorita*, *October* the 19th. At six the same Morning, his eldest Daughter, Consort of the Great Duke of *Tuscany*, was proclaimed Queen of *Hungary* and *Bohemia*, &c. But the Elector of *Bavaria* immediately put in his Protest; and what was much more surprising, the King of *Prussia* laid Claim to *Silesia*; tho', as it afterwards † appeared, on such Conditions as the Queen, in her then pre-

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carious

\* See a Series of our foreign Affairs, from this Period in the Defence of the People.

† Viz. In the King of *Prussia's* Instructions to the Baron de Borck:

1. 'I am ready, with all my Forces, to guaranty all the Dominions possessed by the House of *Austria* in *Germany*, against all Invaders.

2. 'For this End I will enter into a strict Alliance with the Courts of *Vienna*, *Russia*, and the Maritime Powers.

3. 'I



carious Circumstances, ought in Policy to have accepted of.

While *Europe* was in this Situation, his Majesty landed at *Margate*, in his Return from *Hanover*, *October 13*, and the 18th of *November*

3. ' I will use all my Interest to procure the *Imperial Dignity* for the Duke of *Lorraine*, and to support his Election against all *Opposers*, and I dare believe I shall succeed.

4. ' To put the Court of *Vienna* into a good State of Defence, I will immediately furnish it with *Two Millions of Florins*.

' You will naturally imagine, That for such substantial Services upon such hard Terms, I ought surely to expect a proper Security for indemnifying me from all the Hazards I may expose myself to in the Affair I willingly embark.

In short, what I want is the entire and absolute Cession of all *Silesia*, not only as my Right, but as my Reward for the Toils and Hazards which I may incur, in the Career that I am enter'd upon, for the Safety and Glory of the House of *Austria*.

' His *Prussian* Majesty's *Second Dispatch* was to the Count *de Gotter*, and dated *December*.

' By your Account, dated the 26th instant, just put into my Hands by *Kircheyfen*, I have heard how you have been treated by the Duke of *Lorraine*, and in what Language he has been pleas'd to answer your Proposals. Though the said Answer is so sharp and passionate, that it seems to cut off all Means of an Accommodation, yet you are to leave no Stone unturned to induce that Prince to look with less Prejudice upon the Plan and Views I have propos'd to myself, which really tend to nothing but the Welfare and Security of the Duke and the House of *Austria*; who may depend on the utmost Assistance that I can give them, if they will but satisfy my just Pretensions to *Silesia*.

' You may even give the Duke of *Lorraine* to understand, that though I have demand'd the entire Cession of this Province, I may, perhaps, make some Abatement, and content myself with a PART of that Country; provided the Queen  
of

*November* following, open'd the seventh and last Session of the then Parliament, with a gracious Speech to both Houses, wherein, he first takes Notice, that all Things necessary for the *desired Expedition*, had long been in Readiness, and waited only for an *Opportunity* to pursue the *intended Voyage*; and, afterwards proceeds, as follows,

" The several Incidents, which have happened in the mean time, have had no Effect upon me, but to confirm me in my Resolutions, and to determine me to add Strength to my Armaments, rather than to divert or deter me from those just and vigorous Measures, which I am pursuing, for maintaining the Honour of my Crown, and the undoubted Rights of my People.

" The Court of *Spain*, having already felt some Effects of our Resentment, began to be sensible, that they should be no longer able, *alone*, to defend themselves against the Efforts of the *British* Nation. And, if *any other Power*, agreeably to some late ex-

of *Hungary* will be pleas'd to enter into a reasonable and sincere Accommodation with me, and to contract strict Engagements that may consist with our mutual Interests.

' The King also authoris'd the Count *de Gotter* to declare, by Word of Mouth, That his *Prussian* Majesty will be very ready to embrace every Opportunity for assisting the Queen of *Hungary* to maintain the Grandeur of her Family, and to make her Amends for the Loss she may sustain upon this Occasion.

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*traordinary Proceedings*, should *interpose*, and attempt to *prescribe* or *limit* the Operations of the War against my declared Enemies, the Honour and Interest of my Crown and Kingdoms must call upon us to lose no Time in putting ourselves into such a Condition, as may enable us to repel any Insults, and to frustrate any Designs formed against us, in *Violation* of the *Faith of Treaties*: And I hope, any such unprecedented Steps, under what Colour or Pretence soever they may be taken, will inspire my *Allies* with a true Sense of the *common* Danger, and will unite us in the Support and Defence of the common Cause.

“ The great and unhappy Event, of the Death of the late Emperor, opens a new Scene in the Affairs of *Europe*, in which all the principal Powers may be *immediately*, or *consequently*, concerned. It is impossible to determine what Turn the Policy, Interest, or Ambition of the several Courts may lead them to take in this critical Conjunction. It shall be my Care, strictly to observe and attend to their Motions, and to adhere to the Engagements I am under, in order to the Maintaining of the *Balance of Power*, and the Liberties of *Europe*; and, in CONCERT with *such Powers* as are under the *same Obligations*, or EQUALLY CONCERNED, to preserve the

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the public Safety and Tranquillity, to act such a Part as may best contribute to avert the imminent Danger, that may threaten them.”

His Majesty then addressed himself, after the usual Manner, to the House of *Commons*, on those necessary Articles, *Estimates*, *Augmentations*, and *Supplies*, and concluded with recommending some *good Law* to the Consideration of both Houses, to prevent the Exportation of Corn, and to lose no Time in making some farther Parliamentary Provision for the Manning the Fleet.

All which appear'd so wise, just, and reasonable to our *loyal* Representatives, that in their Address, they not only congratulate his Majesty on his Return to his *Regal Dominions*, tho' he had given them no Notice of his Departure, and overwhelm him with Praises and Acknowledgments, but even anticipate their own Resolutions, and engage to do whatever shall be required of them.

Accordingly, like honest Men, they applied themselves, in earnest, to make those Engagements good; for, on the 20th they read the Corn-Bill the first Time, and put a Negative on a Motion for Printing it; on the 24th, order'd it to be read a second Time, on a Division, Ayes 84, Noes 58; and the next Day voted an Address, *Nemine Contradicente*, for an Embargo on all Ships, Y y 4 freighted

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freighted with Provisions to be exported to foreign Ports.

But tho' they were thus unanimous within Doors, with respect to these Measures, the Case was very different without. The Colonies in general, the Sugar Islands in particular, and the Kingdom of Ireland, were greatly alarmed at them; and in behalf of the Last, certain very shrew'd \*  
Confi-

\* Some of the most important of which were as follow :

" It is to be considered, Why that Embargo upon Ireland was laid upon the whole Trade, to the immense Damage of that Country, notwithstanding the Relaxation of it in some Instances: And whether the doing it in that Way, did not evidently tend to create servile Applications, great Loss of Time and Opportunities, great Dependence upon Men in Power, and, possibly, great Corruption. And whether it is not an Absurdity to suppose the Prerogative sufficient to exercise a general Embargo upon the whole Trade, and insufficient to do it upon a few Branches only."

" It is to be considered, That the Embargo in Ireland was laid at a Conjunction above all others fatal; the Rents of that Country being chiefly made during the Slaughter Season, which is in the Months of October, November, and December."

" It is to be considered, Why the Embargo was laid after the French and Spanish Fleets were sailed; and if necessary at all, why not before."

" It is to be considered, Whether it can be supposed, that the provident Administration of France and Spain would have hazarded the Success of so great a Design, and the Loss of so great an Armament, to an Event which they knew to be so much in our Power, as the Embargo upon Irish Beef. Whether therefore it could be reasonably supposed, that this Measure, which has been talked of as so important, could have taken any strong Effect."

" It

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Considerations were made public, first, in a Paper which was delivered to the Members of the House of Commons, and afterwards in the *Daily Post*.

But

" It is to be considered, Whether any Man can with any Appearance of Reason suggest, That this Embargo could have had any better effect than to occasion some Distress among the French and Spanish Forces, to oblige them to be contented with a more spare and less agreeable Diet, or to be at some greater Expence to procure Provision; and, Whether any Man can be so sanguin to believe, that we shall render them unfit for Action and Service by this Means."

" It is to be considered, Whether, if they are still fit for Action and Service, the Degree of Distress we shall create to them, will be of any Advantage to justify so extraordinary a Measure; and, Whether, when it is rightly understood by the Public, they can think it sufficient to balance the extravagant Loss it will occasion to Ireland, and to our own Colonies."

" It is to be considered, Whose Loss this, in the End, will be; and, Whether it will not be the Loss of England: Since it is demonstrable, That England gets all the Balance of the Trade of Ireland, as appears from hence; That the current Species of Ireland is certainly not augmented for twenty Years past, tho' the Balance of Trade is known to be more than 400,000 *l. per Annum* in her Favour."

" It is to be considered, What was the Practice of this Nation in all our former Wars, and upon what Motives it was, That in the Reign of Charles II. in 1667, when England was at War with Holland, France, and Denmark, at a Period when the Prejudices against Ireland first had Rise, and were most violent, it was resolved by the Council of England, that the Irish should export their Beef and Provisions to the Enemy, in Pursuance of which Resolution a Proclamation from the Lord Lieutenant of that Kingdom was then issued to that Purpose."

" It is to be considered likewise, upon what Motives, in the Wars of King William and Queen Anne with France, the

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But the only Effect they produced, was to excite such a Spirit of Indignation in the House, against the Person who acknowledged himself to be the Author, that they com-

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the same Indulgence was shewn to *Ireland*, and their Exportation privately encouraged by the Government of *England*, notwithstanding any general Embargoes laid by Act of Parliament."

"It is to be considered, Whether the *Dutch*, the wisest Nation in the World with respect to Commerce, ever thought it advisable to refuse to supply their Enemies with any Commodity whatsoever."

"It is to be considered, now the Scarcity of Grass and Hay is so excessive, what can be done with our Cattle if they are not exported; and whether it be better that they should perish at home, than be sold to our Enemies."

"It is to be considered, Whether Money be not the Sinew of War; and, Whether to deny ourself the Profit of a very advantageous Trade, be a natural Way to prove successful against our Enemies."

"It is to be considered, Whether one of the Calamities of War is not the Interruption of our Commerce."

"Whether to render this greater than it must necessarily be, can deserve the Encomiums which a certain Person and his Adherents bestow upon this Measure."

"Whether one of the most valuable Circumstances of Admiral *Vernon's* glorious demolishing of *Porto-Bello*, has not been thought, by all knowing Men, to be the opening of that Coast to our Merchants, and the Means thereby given to supply the *Spanish America* with Commodities of this Country."

"Whether there is any Maxim so solid, and so incapable of being controverted with respect to Trade, as that it ought never to be restrained."

"Whether the eternal Consequence of Restriction in Commerce, has not been the Diversion of it into a new Channel."

P. S.

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committed him to *Newgate*, where he remained from *December 2*, to *January 22*; as likewise his *Printer* to the Custody of the *Serjeant at Arms*, from which he was releas'd, upon his Petition, the next Day: But tho' he was dealt with thus gently, the Person who re-printed it, was not only sent to *Newgate*, but continued there till the End of the Session; for no other Reason that has yet appeared, but his Concern in the *Daily Post*, which *Sir W. Yonge* was pleas'd to represent as a *licentious News-Paper*.

So extremely tender were these worthy *Whigs*, both of the Liberty and Property of the Subject!

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P. S. "It is actually now known, that the *French* have contracted already for an annual Supply of 6000 Tons, or 60000 Barrels of Beef from *Jutland*, at the Rate of 200 wt. per Barrel, which is within 20000 Barrels of the greatest Quantity ever taken by them from *Ireland* in Times of Peace. So that in all Probability an irrecoverable Blow is already given to that Branch of Trade; and they have actually contracted with *Holland* for a farther Quantity."

"Certain Advices are received, that the *French* Fleets are actually in *America*; which may serve sufficiently to evince, that some Persons have boasted too much of their Sagacity in imposing the Embargo: The great, and indeed only plausible Pretence for it, being to prevent their Navigation thither at this critical Conjunction, which it was confidently affirmed it would effect."

"This was foretold at a Time when the Prejudices in favour of the Embargo were too strong to admit Credit to that Suggestion."

But

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But to proceed: On the eighth Day of their Sitting, they granted 40,000 Seamen; and in a Fortnight after, with unexampled Generosity, made Provision for an Army of \* 46288 effective Men; which, together with Six Thousand *Danes*, and Six Thousand *Hessians* † already in *British* Pay, were to enable the King to keep due watch and ward over the *Balance of Europe*.

Agreeable to which high Trust, his Majesty took the distressed Queen of *Hungary* into his Royal Protection; and his *Ministers* form'd that heroic Project of avenging her Quarrel, by conquering and dividing the Territories of her unknighly Invader.

\* But not without vehement Debates and two Divisions, viz. In the Committee Ayes 252, Noes 197.  
On the Report, Ayes 232, Noes 166.

Note, upon passing the *Mutiny*-Bill, in the House of Lords, the following Protest was enter'd.

“ *Dissentient* ”

“ Because it does not appear to us, That the Forces which are now kept up within this Realm are to be employed to annoy our Enemies Abroad; and we are satisfied, the Affections of the People to his Majesty and the Protestant Succession are such, that there can be no Occasion for them to keep this Nation in awe.

*Abingdon,*      *Warrington,*      *Carlisle,*  
*Litchfield,*      *Aylesford.*

† By Treaty with the King of *Sweden*, sign'd May 4, 1740, to be held in *Readiness* for the Service of his *Britanic* Majesty, in case the Good of his Kingdoms and DOMINIONS should require that Succour.

But

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But tho' the Plan of these right sage and equitable Operations, at last stole into Day-light, they were, as yet, cover'd with Clouds and Darkness. In which Situation they continued, when his Majesty, <sup>1741.</sup> April 8, came to the House of Peers, and deliver'd the following oraculous Speech:

*My Lords and Gentlemen,*

“ At the Opening of this Session, I took Notice to you of the Death of the late Emperor, and of my Resolution to adhere to the Engagements I am under, in order to the maintaining of the *Balance of Power*, and the Liberties of *Europe*, on that important Occasion. The Assurances I received from you, in Return to this Communication, were perfectly agreeable to that Zeal and Vigour, which this Parliament has *always* exerted, in the Support of the Honour and Interest of my Crown and Kingdoms, and of the common Cause.”

“ The War, which has since broke out, and been carried on, in Part of the *Austrian* Dominions, and the various and *extensive* Claims, which are publicly made on the late Emperor's Succession, are new Events, that require the utmost Care and Attention, as they may involve all *Europe* in a bloody War, and in Consequence, expose

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expose the *Dominions* of such Princes, as shall take Part in Support of the Pragmatic Sanction, to imminent and immediate Danger. The Queen of *Hungary* has already made a Requisition of the 12,000 Men, expressly stipulated by Treaty; and thereupon I have demanded of the King of \**Denmark*, and of the King of *Sweden*, as Landgrave of *Hesse-Cassel*, their respective Bodies of Troops, consisting of 6000 Men each, to be in readiness to march forthwith to the Assistance of her *Hungarian* Majesty. I am also concerting such *farther Measures* as may obviate and disappoint all dangerous Designs and Attempts, that may be forming and carried on in Favour of any *unjust Pretensions*, to the Prejudice of the House of *Austria*. In this complicated and uncertain State of Things, many incidents may arise, during the Time, when, by Reason of the approaching Conclusion of this Parliament, it may be impossible for me to have your Advice and Assistance, which may make it necessary for me to enter into still *larger Expences*, for maintaining the *Pragmatic Sanction*. In a Conjunction so critical, I have thought it proper, to lay these important Considerations before you, and to desire the Concurrence of my Parliament,

\* Note, His *Danish* Majesty refus'd his Quota, tho' he continued to receive their Pay.

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in enabling me to contribute in the most effectual Manner, to the Support of the Queen of *Hungary*, the preventing by all reasonable Means the Subversion of the House of *Austria*, and the maintaining the Liberties and *Balance of Power* in *Europe*."

*Gentlemen of the House of Commons,*

"I must recommend it to you, to grant me such a Supply as may be requisite for these Ends; and the just Concern and Readiness which I have constantly found in you, to make all necessary Provisions for the public Good, and our common Security, leave me no Room to doubt of the same good Disposition and Affection in this Instance."

*My Lords and Gentlemen,*

"I am persuaded, I need say no more to recommend these Considerations to you, which so necessarily arise from the present Situation of Affairs: I shall therefore only add, That whatever Expences may be incurred on this Occasion, shall be made in as frugal a Manner as possible; and an Account thereof shall be laid before the next Parliament."

As, according to the *old* Constitution, the King can *do* nothing but what is *Right*, so, according to the *New*, he can *say* nothing but

but what is *reasonable*: Thus, when this Speech was reported in the House of *Commons*, an Address was carry'd without \* a Division; in which the following amazing Particulars were permitted to have a Place.

“ We

\* That great Patriot Mr. P. made a fine Speech upon this Occasion, in which he both oppos'd, and agreed to the Motion; one Part of it was to the following Effect, and therefore deserves to make Part of the Evidence against him at the Last Day.

“ Such Conduct, Sir, I would gladly recommend on the present Occasion, on which I should be far from advising a faint, an irresolute, or momentary Assistance, such Supplies as declare Diffidence in our own Strength, or a mean Inclination to please contrary Parties at the same time, to perform our Engagements with the Queen, and continue our Friendship with *France*. It is, in my Opinion, proper to espouse our Ally with the Spirit of a Nation that expects her Decisions to be ratified, that holds the *Balance of the World* in her Hand, and can bestow *Conquest and Empire at her Pleasure*.”

“ Yet, Sir, it cannot be denied that many powerful Reasons may be brought against any new Occasion of Expence; nor is it without Horror and Astonishment that any Man, conversant in political Calculations, can consider the enormous Profusion of the National Treasure. In the late dreadful Confusion of the World, when the Ambition of *France* had set half the Nations of the Earth on Flame, when we sent our Armies to the Continent, and fought the general Quarrel of Mankind, we paid during the Reigns of King *William*, and his great Successor. Reigns of which every Summer was distinguished by some important Action, but *four Millions* Yearly.”

“ But our Preparations for the present War, in which scarcely a single Ship of War has been taken, or a single Fortrefs laid in Ruins, have brought upon the Nation an Expence of five Millions. So much more are we now obliged to pay to *amuse the weakest*, than formerly to *subdue the most powerful of our Enemies*.”

“ He

“ We cannot but entirely concur with your Majesty in the prudent Measures which your Majesty is *pursuing* for the Support of the common Cause, and for the Preservation of the Liberties, and the Balance of Power in *Europe*. We acknowledge your

“ He that is scarce able to *preserve himself*, cannot be expected to assist others; nor is that Money to be granted to *foreign Powers*, which is wanted for the Support of our Fellow-Subjects, who are now languishing with Diseases, which unaccustomed Hardships, and unwholsome Provisions have brought upon them, while we are providing against distant Dangers, and bewailing the Distresses of the House of *Austria*.”

“ Let us not add to the Miseries of Famine the Mortifications of Insult and Neglect; let our Countrymen, at least, divide our Care with our Allies; and, while we form Schemes for succouring the Queen of *Hungary*, let us endeavour to alleviate *nearer Distresses*, and prevent or *pacify domestic Discontents*.”

“ If there be any Man whom the Sight of Misery cannot move to Compassion, who can hear the Complaints of Want without Sympathy, and see the *general Calamity* of his Country without employing one Hour on Schemes for its Relief: Let not that Man dare to boast of Integrity, Fidelity, or Honour; let him not presume to recommend the Preservation of our Faith, or Adherence to our Confederates; that *Wretch* can have no *real Regard* to any *moral Obligation*, who has *forgotten those first Duties which Nature impresses*; nor can he that *neglects the Happiness* of his Country, recommend any *good Action* for a *good Reason*.”

“ It should be considered, Sir, that we can only be useful to our Allies, and formidable to our Enemies, by being *unanimous* and mutually confident of the good Intentions of each other, and that nothing but a steady Attention to the public Welfare, a constant Readiness to remove Grievances, and an apparent Unwillingness to impose *new Burthens*, can produce that Unanimity.”

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Majesty's Wisdom and Resolution, in not suffering yourself to be diverted from steadily persevering in your just Purposes of fulfilling the Engagements, which your Majesty has entered into with the House of *Austria*; and do assure your Majesty, that in Justice, and in Vindication of the Honour and Dignity of the *British Crown*, this House will effectually stand by and support your Majesty against all Insults and Attacks, which any Prince or Power, in Resentment of the just Measures that your Majesty has so wisely taken, shall make upon any of your Majesty's Territories or Dominions, THOUGH NOT BELONGING TO THE CROWN OF GREAT BRITAIN. And we beg Leave farther to assure your Majesty, That in any future Events, which may arise from this uncertain State of Things, and which may make it necessary for your Majesty to enter into still larger Expences, your faithful Commons will enable your Majesty to contribute, in the most effectual Manner, to the Support of the Queen of *Hungary*, to the preventing, by all reasonable Means, the Subversion of the House of *Austria*, and to the maintaining the Pragmatic Sanction, and the Liberties and Balance of *Europe*."

And

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And a few Days after, they made a free Gift to his Majesty for the Queen of *Hungary*, of Three Hundred Thousand Pounds; For the further enabling his Majesty in the most effectual manner to support the Queen of *Hungary*, for preventing the Subversion of the House of *Austria*, and for the maintaining the Pragmatic Sanction, and supporting the Liberties and Balance of Power in *Europe*."

Nay, so extensive and unbounded was their Liberality, That when one Mr. *Popple*, who had been appointed Agent by his Majesty, to the Six new-raisd Independent Companies at *Jamaica*, had gone off with certain Sums belonging to the said Companies, as likewise to a Company at *New Providence*, and another Sum due to the Receiver-General of *Scotland*, amounting in all to near 8800*l.* they undertook to indemnify the Government, and made no Difficulty to place the Loss to the Account of the People.

In one Word, the Sum Total of their Grants was 501865*l.* 5*d.* 1*q.* which they made good by a Land Tax of 4*s.* in the Pound

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_____	2800000 00 00
The Malt Tax _____	700000 00 00
The Salt-Tax, which was this Session mort- gaged for Seven Years more _____	1200000 00 00
The Sinking Fund _____	1000000 00 00
Money reserved to be disposed of by Parlia- ment _____	4434 04 00
Surplus of the former Years Grants _____	39588 10 06
_____	4951022 14 10

By which it appears there was a Deficiency of 67,628 5 6  $\frac{1}{2}$  which was left as an additional Load upon the next Year.

Besides all These, certain other Jobs still remain'd to be done. A Doubt had arisen, whether the *Inn-Keepers* were oblig'd to take the Rates appointed in the 26th Section of the Mutiny-Bill for the *Diet* and *Small Beer*, of the Officers and Soldiers, quarter'd upon them by the said Act: and it was held expedient, to procure such an Explanation as shou'd serve by way of *Douceur* to the Army.

Accordingly Mr. *Secretary at War*, made a Motion for a Clause to remove this Doubt, which he introduc'd with observ-  
ing,

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ing, among other Things, That if this Affair should be left to the Decision of the Law, and that Decision should be given against the Soldiers, it would often be impossible for them to subsist, without having recourse to FORCE, which, upon all such Occasions, as they had Arms in their Hands, they would CERTAINLY make use of, and this might be attended with the most fatal Consequences to the Nation.

But this Consideration neither weigh'd so much with the House as He expected, nor was resent'd as it ought: The Opposition that was made to the Motion, turn'd chiefly on the Hardships resulting from it to the *Inn-Keepers*; which were urg'd in so strong and lively a Manner, that those in Power were in Danger of losing their Point, by a Resolution, That it should be left to the Option of the said *Inn-Keepers*, whether or not they would diet the Soldiers at the Rates appointed, provided they should be oblig'd to furnish them with *Small Beer*. But by fixing the *daily* Quantity which each Soldier might insist on at THREE QUARTS, the Scale was again turn'd in Favour of the Soldier, and the *Inn-Keeper* was oblig'd either to submit to the good Pleasure of his Guests, or pay a Fine for his Refusal.

Z z 3

But

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But while this tender Concern was taken of the Soldiery, a \* Bill was brought in, with the plausible Title of an *Act for the Encouragement and Increase of Seamen, and for the better and speedier Manning his Majesty's Fleet*; which, in the first Clause, propos'd the settling a certain annual Pension to all such Seamen as should be disabled in the Service, till provided for in *Greenwich-Hospital*; and in the second, the giving a Years Wages to the Widow of every Seaman who should be kill'd or drown'd in the Service. Both which were excepted to, as containing no proper Encouragement for Seamen. Upon this Subject it was said, That few common Seamen gave themselves much Trouble about Futurity, or thought of laying up a Provision for old Age; and that therefore a present Reward would be thought a greater Encouragement by most Seamen, and would be less burthensome to the Nation. Moreover, it was said, That by a Practice too frequent in the Navy, it would be very easy to defeat the Seamen of this or any other Reward that could be promised them, upon their entering voluntarily into his Majesty's Service; because it was then

\* See a Copy thereof in the *Annals of Europe*, for 1741.

very

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very usual, and had been so for many Years, among some of the Officers in the Navy, to reject a Seaman as not fit for his Majesty's Service, when he came voluntarily to offer himself, and, in a few Days after, to approve of him as a good Seaman, if he happened to be pressed into the Service; for which Practice no Reason could be assigned, but that of the Lieutenant's having a small Bounty for every Man he pressed; whereas he had nothing for Volunteers. This, it was insisted, was a Practice then frequent in the Navy, and therefore the Clause ought not only to be altered with Regard to the Encouragement or Reward propos'd, but also some Words ought to be added, for preventing this Practice for the future. Upon this Subject there was a pretty long Debate, which occasioned the Clause to be post-poned; and, next Day, that Clause was offer'd in its Stead, which now stands the first in the Act; but though a Clause for preventing the Practice above-mentioned was offer'd upon the third Reading, and though in the Debate, the Practice was offer'd to be fully proved, in case a Committee should be appointed for that Purpose, yet no such Clause was insert'd in the Bill.

Z z 4

But

But the chief Debate in this Committee, was upon the 3d, 4th, 5th and 6th Clauses of the Bill relating to a GENERAL SEARCH. Against which, and a Power annex'd to it, to break open any Persons Doors by Night or Day, it was said, That it would render the Property of every Man in the Kingdom unsafe, and was absolutely inconsistent with our Constitution: Nay, That it would endanger the Lives of many of his Majesty's Subjects, and would be a Sort of Trap which Gentlemen of Figure and Fortune could hardly avoid falling into, especially those who happened not to be in the good Graces of a Minister; for such Gentlemen would have Constables and Prefs-Gangs frequently sent to search their Houses in the Middle of the Night, and this no Gentleman of any Spirit would submit to: He would certainly refuse, it was said, to open his Doors at that Time of Night, and if the Constable and his Prefs-Gang attempted to break them open, he would order his Servants to fire upon them; the Consequence of which would be, That the Gentleman would either be murdered in the Fray, or afterwards hanged for killing the Constable or some of his Prefs-Gang.

On

On the other Side, it was said, That this was but an imaginary Fear, because the Power of making a general Search was a Power that had been long established, and often exercised in the Case of Vagabonds; That not only in that Case, but also in the Case of searching for Felons, and for stolen or run Goods, the Constables had a Power often granted to break open Doors, if Admittance, when demanded, should be refused; and yet no Inconvenience had ever yet happened, nor had it ever appeared, that this Power was inconsistent with our Constitution, or that any Man had suffered in his Property by the Exercise of it. And farther, it was said, That in the late Queen's Reign, such a Bill as this was brought in, and actually passed into a Law, when there was an Administration that had as great a Regard for the Liberties and Properties of their Fellow-Subjects as ever any Set of Ministers had; and tho' that Law continued in Force for a Twelvemonth, during which Time, all the Powers now proposed were exercised, yet no Inconvenience ensued, nor was there the least Complaint against the Officers or Constables then employed to search for, and apprehend absconding Seamen. And, finally, That there was a very great Deficiency, and a great Want of Seamen

men for manning his Majesty's Navy; and therefore we were under an absolute Necessity to endeavour to supply that Defect, either by the Methods proposed by that Bill, or by some other Methods; and if any other better Method could be thought of, they were ready to approve of them, and to give up what was then proposed.

To this it was answered, That if there was any great Want of Seamen for manning his Majesty's Navy, it was owing to our ill Treatment of Seamen for several Years past, and to the Misconduct of our Ministers at the Beginning of the War: But suppose this Want to be greater than it really was, there were several other Methods which might be taken for supplying that Want, and therefore, we were not brought to such a Degree of Necessity, as to be forced to endanger our Constitution for the Sake of manning our Navy: That the Method proposed by that Bill was not only dangerous to our Constitution, but had, by Experience, been found ineffectual; which was the true Reason of the Law's not being continued, which had passed in the late Queen's Time, as appeared by the Accounts then upon their Table. That they were sorry to hear our Seamen, a Body of Men that have done great Honour

nour as well as great Service to their Country, put upon the same Footing with Vagabonds, Smugglers, and Thieves; but even against these Pests of Society, the Remedies established by Law were not so dangerous as the Remedy proposed by that Bill against absconding Seamen; for as to Thieves, Felons, or Run Goods, there was no such Thing as a general Search, nor could any Man's House be searched for them, unless upon Affidavit, that there was good Ground to suspect his having Felons, or Run Goods concealed in his House; and as to the general privy Search appointed by Act of Parliament for Vagabonds, no House had ever been searched, nor could any House be legally searched by Virtue of that Act, unless it was a House of ill Fame in the Neighbourhood, which was a Restraint introduced by Reason and Custom upon the Powers granted to the Justices by that Act; whereas no such Restraint could be introduced upon the Powers proposed to be granted by the Bill then before them; because a Man of the best Repute, nay, a Family of the first Rank, might conceal a Seaman, not with a Design to withdraw him altogether from the Government's Service, but with a Design to conceal him till he should have an Opportunity to recover

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cover from the Fatigues of a long Voyage, to settle his domestic Affairs, or to find a Captain to his liking, with whom he might enter as a Voluntier. To this it was added, That as the Law, when formerly established, had been found ineffectual for the End publicly professed, and as there was another End, *viz.* That of influencing Elections, and oppressing those who opposed ministerial Candidates, which it might be made to serve, there was great Reason to suspect, That the latter was the only End proposed, and that therefore, every Man who had a Regard for the Liberties of his Country, ought to be jealous of having such a Bill passed into a Law. The Question was however carried, That these Clauses should stand Part of the Bill.

There was yet a farther Debate upon the 7th, and following Clauses, against which it was said, That it obliged the Constables to become Informers against themselves, and to answer upon Oath in a Case, where they must perhaps either be guilty of Perjury, or subject themselves to Penalties; and against the 11th, it was objected, That it put all Seamen, not in the Government's Service, in the Case of Outlaws and Traitors; for no Man could know whether  
a Sea-

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a Seaman was an absconding Seaman or no, and therefore no Man could with Safety give a Seaman at Land either Meat, Drink, or Lodging; and besides, it was a Clause which no Inn-keeper or Victualler, nor any one that lets Lodgings, could guard against; for when they harboured a Stranger, they could not know, whether he was a Seaman or no, and therefore might subject themselves to Penalties, without being conscious of their having committed any Offence. These Clauses were therefore strenuously opposed; but upon the Question's being put, whether they should stand Part of the Bill, it was carried in the Affirmative by 154 *Ayes* to 115 *Noes*.

However, as Petitions were preparing to be sent up from all Parts of the Country against the Bill, and as it was like to occasion a general Discontent among the People, the principal Advocates for it resolved to give up, upon the Report, all those Clauses in it relating to the Search, that is to say, from the 3d to the 13th, both inclusive; and next Day, *viz.* upon the 10th, they declared this their Resolution in the House; after which Sir *Charles Wager* offered to the House the Clause for limiting Sailors Wages in the Merchants Service,  
Service,

Service, which now stands last but one in the Act; and, after opening the Nature of the Clause, he moved for Leave to bring it up; which being opposed, after some Debate, the Question was put, which was carried in the Affirmative by 143 *Ayes*, to 92 *Noes*; and then the Clause being brought up and read, there ensued a long Debate, in which it was insisted, That the Clause would not only be inconvenient and dangerous to our Merchants and Trade, but was in itself impracticable; for the Price of Labour in all Sorts of Business so absolutely depended upon the Proportion between the Number of Labourers wanted, and the Number who desired to be employed, that it was impossible to fix or limit the Price of Labour in any one Sort of Business, as had been found by Experience with Regard to several Laws made for that Purpose; and that therefore the Clause offered could serve for nothing but to distress our Merchants and Masters of Ships, and to render them liable to Penalties and Prosecutions, which they could no Way avoid, but by giving over all Trade and Navigation.

The Question being at last put, the Clause was agreed to, and the Committee having thus gone through the Bill, the  
Report

Report was ordered to be received upon the *Friday* following, being the 31st of *March*, upon which Day, a Petition of the Merchants and Traders of the City of *London*, was presented to the House and read; setting forth their Apprehensions, that the said Bill would be highly detrimental to Trade and Navigation, and praying to be heard by their Council against it, which was order'd to lye upon the Table, and another of the same Tendency from the County of *Gloucester* was rejected.

And then the House proceeded, according to Order, to take into Consideration the Report from the Committee upon the said Bill, when the Amendment made to the first Clause was agreed to, and the other Clauses I have mentioned were all left out; but when the Clause added by the Committee for limiting Sailors Wages in the Merchant Service was read the first Time, a Motion was made for adjourning the farther Consideration of the said Report till *Monday*, in Order that the Merchants and Traders of *London* might be heard upon their Petition; because those Merchants might then offer something to the House, that might render their agreeing to such an inconvenient Clause unnecessary, and might be  
more

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more effectual for the Encouragement and Increase of Seamen, than any Thing proposed by that Bill: To this it was answered, That as the Bill had been long before the House, if the Merchants could offer any Thing for the Encouragement or Increase of Seamen, they might at least have given a Hint of it to some of their Friends in the House, and since they had not, it was to be supposed their Petition was presented, not with a View to offer any Remedy, but to delay and throw Difficulties in the Way of a Bill, which ought to be passed with the utmost Expedition; therefore, upon the Question's being put for adjourning, it passed in the Negative, by 196 *Noes* to 142 *Ayes*; and the House then proceeding, the said Clause was read a second Time, and with some Amendments agreed to: after which the last Clause, as it now stands in the Act, was added, and the Bill with the Amendments was ordered to be ingrossed; and on the 23d of *March*, the Bill was read a 3d Time, and passed, upon a Division of 153 *Ayes*, to 79 *Noes*.

Having thus touch'd upon the most material *Acquisitions* of the Court, let us now take a View of the *Attempts* of the Opposition.

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*December* 11th, a Motion was made, That there might be laid before that House, an Account of the Numbers of Horse, Dragoons, and Foot, that were in *Ireland*, for the Years 1738, and 1739, and the Charge thereof, and the estimated Numbers, and Charge for the Year 1740; distinguishing each Year. But, after Debate, it was carried in the Negative.

*December* 12th, It was resolved, *Nemine Contradicente*, That an humble Address should be presented to his Majesty, That, for the present and future Estate of his Majesty's Subjects, he would be graciously pleased to employ, in the Army, such Persons as then remained upon Half-pay, who were qualified to serve his Majesty. Which Address being presented his Majesty upon the *Monday* following, he returned, by Mr. Comptroller, this Answer:

*I shall always have a due Regard for my Half-pay Officers, and employ such of them as are PROPERLY qualified for the Service.*

\* Though this Motion was agreed to *nem. con.* yet it was not without some De-

\* See Annals of Europe.

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bate; for Mr *Sandys*, at first moved, for an Address, That, for the present and future Ease of his Majesty's Subjects, he would be graciously pleased to employ in the Army, *all* such Persons as then remained upon Half pay.

To which Motion Sir *William Younge* objected, That it was unnecessary, because his Majesty had already resolved to do so; and farther, That the Motion, in the Terms it was proposed, was absurd; for his Majesty could not employ in the Army *all* the Half-pay Officers, because many of them were grown so old and infirm as not to be fit for his Majesty's Service, many were unwilling to enter again into the Service, and some did not deserve to be ever employed in any Service under his Majesty. To this it was answered, That whatever might be his Majesty's Resolution in that or any other Case, they were not to take it from any Member of that House, as a Reason for their not Addressing; because his Majesty's Resolution could only be declared to them by Way of Answer to their Address, and by express Authority from his Majesty; and whatever might be the Resolution as to the future, it was certain that this Resolution had either never been taken, or had not been steadily pursued

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sued in Times past, as appeared by the great Number of Officers still remaining upon Half-pay. And as to the Absurdity of the Motion, it arose from taking the Word, *all*, in a more extensive Sense than was intended, or the Sense of the preceding Words would admit of; for when they addressed his Majesty to employ, in the Army, all Half pay Officers, they could mean by the Word, *all*, none but such as were capable of that Employment. As for most of those that were fit, but unwilling to serve, their Unwillingness proceeded from the Injustice that had been done them, by preferring Men of no Service, or of inferior Rank, whilst they remained an useless Charge upon their Country; which Injustice had been so long continu'd, and so often repeated, that many of those brave, old Officers, if they should now again come into the Service, would of Course be under the Command, perhaps of Striplings, who were not born when they first entered upon Half pay. As to such Men, it would be hard to desire them to serve, without restoring them to their due Rank in the Army; but if there were any others unwilling to serve, they ought to be compelled under the Pain of losing their Half-pay; and if there were any upon Half-pay, who did not deserve to be employed



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ployed in any Post under his Majesty, they did not surely deserve to be continued upon Half-pay; but this was a Case which no Minister ought to judge of. At last, Sir *Robert Walpole* proposed to amend the Question, by leaving out the Word, *all*, and adding the Words, *who were properly qualified to serve his Majesty*; but the Word, *properly*, was objected to by Sir *John Barnard*, as being an improper Addition to qualified; because every Man that is qualified must be properly qualified, there being no such Expression in the *English* Language, as a Man's being improperly qualified; upon this, the Word, *properly*, was left out, and the Motion thus amended was agreed to. However, we find the Word, *properly*, was inserted in his Majesty's Answer, which some looked on as a Piece of Vanity in the Minister, to shew the Influence he had upon the Councils of his Master.

*February 3*, Mr *Sandys* made a Motion for an Address, That his Majesty would be graciously pleased to give Directions, That the House might be informed, *when* his Majesty, or the Lords Justices, first received certain Advices of the *Ferrol* Squadron being failed from that Port, and of the *Brest* and *Toulon* Squadrons being failed for the *West Indies*. But it being insinuated, That  
neither

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neither his Majesty, nor the Lords Justices, had *any Advice* relating to these Squadrons, but what came by the common Conveyance of Ships that they met or saw, the Majority held it a sufficient Reason to authorize a Negative.

But not being disheartened with his ill Success, the same Gentleman stood up again, and moved for another Address, for Copies or Extracts of *all* Letters, which had been received from, or written to, Vice-Admiral *Vernon*, from the Time of his going to the *West Indies*, by either of the principal Secretaries of State. This likewise, it seems, was too much to be comply'd with; and therefore Mr *Pelham*, propos'd to add the following qualifying Words by way of Amendment, *so far as the same related to a Supply of Ships, Marines, or Land Forces*.

This occasioned a Debate, and upon the Question's being put for agreeing to the Amendment, it was carried in the Affirmative; after which the Motion thus amended was agreed to without Opposition.

But tho' his Majesty 'caus'd the House to be acquainted, That he would give Directions, as desir'd; it is very remarkable those Directions were never complied with, so far as I can find; for it is not to be supposed, they were never given;

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nor is it to be supposed, That the Letters could not be got ready, because the same Motion had been agreed to in the House of Lords on the *first* Day of *December*.

Another Address having been agreed upon, and presented, That his Majesty would be graciously pleased, as soon as conveniently might be, to settle a Cartel with *Spain*, for the Exchange of Prisoners taken in War. His Majesty acquainted the House, That he would give Directions accordingly; which Answer surpris'd some People, because they expected to have been acquainted, That a Cartel had been already settled; and the Merchants complain'd, That the settling of it had been so long neglected, in order to discourage our Seamen from entering into or continuing in their Service; and because in a War with *Spain* there was no Danger, that any of the Seamen belonging to our Navy should be taken by the Enemy.

I shall now close this Discourse with the famous Motion made by Mr *Sandys* upon † *Feb. 13*, for an Address, That his Majesty would

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† The same Day a Motion of the like Nature was made by my Lord *Carteret* in the other House, where it met with the like Success: upon which Occasion, the following Protest was

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would be graciously pleas'd to remove Sir *Robert Walpole* from his Presence and Councils for ever.

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was enter'd, to convince Posterity that this Step was not taken without sufficient Cause.

“ *Dissentient*”.

“ 1. Because we are persuaded that a *sole*, or even a *first Minister*, is an Officer unknown to the Law of *Britain*, inconsistent with the Constitution of this Country, and destructive of Liberty in any Government whatsoever; and it plainly appearing to us, that Sir *Robert Walpole* has, for many Years, acted as such, by taking upon himself the *chief*, if not the *sole* Direction of Affairs, in the different Branches of the Administration, we could not but esteem it to be our indispensable Duty, to offer our most humble Advice to his Majesty, for the Removal of a Minister so dangerous to the King and the Kingdoms.”

“ 2. Because we think it appeared in the Debate, that in many Instances, of infinite Consequence to the Interest of the Public, he has grossly abused the *exorbitant Power*, which he *illegally* possessed himself of, particularly in the Management of the public Treasure. And this, we conceive, must plainly appear to every Impartial Person who recollects, That, for these twenty Years past, this Kingdom has paid the largest Taxes that ever were imposed upon it in the Time of Peace; and yet that the public Debts remain much as they stood at the Time when this Gentleman first entered upon the Management of the Treasury; and that the Civil List also, the largest that was ever granted to the Crown, is, as we have the strongest Reasons to believe, considerably in Debt at this Time.

“ 3. Because we conceive it was plainly proved in former Debates, that the Army, so greatly expensive to this Kingdom, and which only was granted by Parliament for the Defence of it, had been managed, both as to *Rewards* and *Punishments*, in such Manner as to make it of no *military Use*, but on the contrary, to render it subservient, as we apprehend, to the very worst

Upon which remarkable Occurrence, I need only observe, that whoever reflects, that this great Man had been the *first*, if not the *sole Mover* of our Political System, from

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worst of Purposes, the *influencing Elections without Doors, and Votes within.*"

" 4. Because we are persuaded, that the vast Sums of Money, granted on different Heads for Sea-Service, cannot possibly have been faithfully applied; there having been as much Money granted by Parliament in the last six or seven Years, upon the several Heads applicable to the repairing and rebuilding our Ships, as would have been sufficient to re-build the whole Fleet of *Britain* from the Keels of the Ships, and have put them, thoroughly equipped, to Sea: And yet it is most notoriously true, that since this War began, a very great Number of Ships have appeared to be in the worst Condition for Sea-Service that ever were known to be in the Memory of Man, and many of them scarcely fit for *Spithead Expeditions*; Ships having sailed out of the River, destined, as was pretended, for foreign Service, that have with Difficulty been able to swim into the Docks of *Portsmouth* or *Plymouth* for farther Repairs."

" 5. Because we apprehend, that by the Conduct of Sir *Robert Walpole*, in Relation to foreign Affairs, during the Course of his Administration, the Balance of Power in *Europe* has been destroyed; the House of *Bourbon* has been aggrandized in many Instances, particularly by the Addition of *Lorraine*; the House of *Austria* has been depressed by the Loss of Part of the Dutchy of *Milan*, and the whole Kingdoms of *Naples* and *Sicily*; and if such a Change in the System of *Europe*, occasioned by the Misconduct of any Minister whatsoever, would be criminal, we cannot think it the *less so* in one who joined in the Prosecution of the Authors of the Treaty of *Utrecht*, upon the particular Charge of having reduced the House of *Austria* too low, and left the House of *Bourbon* too powerful."

" 6. Because

from the Year 1721, will scarce be at a Loss either for *Facts* or *Reasons* to urge in its Justification:

That whoever recollects what pass'd in and after the first Session of the subsequent Parliament, will be a perfect Master of all the *Motives*, which actuated that great *Patriot* and his greater *Friend*, who were the principal Agents, in setting it on Foot.

And that whoever hath a due Sense of the uniform *Conduct* of the Majority in every Session, and every Parliament since the Accession, will be sufficiently able to account for the *Event*: Which every body knows  
was

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" 6. Because it is a Fact not to be contradicted, that the *Spaniards* were permitted quietly to possess themselves of the Land belonging to our most important Fortress of *Gibraltar*, which this Kingdom was in Possession of, by Virtue of the Treaty of *Utrecht*, till the last Siege of that Place, by which Permission Fortifications were erected, and Batteries raised upon the said Ground by the *Spaniards*, whereby the Use of the advantageous Bay of *Gibraltar* is lost to *England*, and our Ships ever since forced to anchor both inconveniently and dangerously under the Walls of the Town; and what naturally raises the strongest Suspicions in us of this unwarrantable Proceeding, is, that a *British* Admiral, soon after, was at *Cadix* with a powerful Squadron of Ships of the Line, at the Time the *Spaniards* thus unjustly broke their Treaty, and that Admiral quietly and undisturbed left them in Possession of that Ground, and convoyed their Troops to take Possession of the Dominions of *Tuscany*."

" 7. Because the Papers upon our Table, delivered to this House from the Commissioners of the Customs, do plainly  
prove,

was a thundring Negative: 106, only dividing for the Motion, and no less than 290 against it.

As rather *too much* Attention is paid to the gracious Speeches of our Sovereigns at the Time, when they are made, so they are rather *too little* regarded afterwards.

They are indeed, the very Pulse of the Government; and almost always indicate more than they express.

Let this account for the frequent Use which hath been made of them already;

prove, that Sir *Robert Walpole*, by publicly conniving, for many Years, at the Trade carried on with this Nation from the Port of *Dunkirk*, has given up the 9th Article of the Treaty of *Utrecht*, which we cannot but look upon as a high Misdemeanour; and the greater Crime in him, as no Man whatsoever declared himself with more *passionate* Zeal than he did, against the Authors of the Treaty of *Utrecht*, for having favoured *France* in most of the Articles of that Treaty; in Consequence of which Behaviour, it became peculiarly his Duty to preserve inviolably those Articles in it, which were incontestably stipulated for the Interest of this Crown and Nation."

<i>Bridgewater,</i>	<i>Cobham,</i>	<i>Haverham,</i>
<i>Westmoreland,</i>	<i>Clinton,</i>	<i>Abingdon,</i>
<i>Macclesfield,</i>	<i>Denbigh,</i>	<i>St. John de Bletsee,</i>
<i>Litchfield,</i>	<i>Falmouth,</i>	<i>Ward,</i>
<i>Halifax,</i>	<i>R. Lincoln,</i>	<i>Greenwich,</i>
<i>R. Litch. and</i>	<i>Berkshire,</i>	<i>Gower,</i>
<i>Coventry,</i>	<i>Aylesford,</i>	<i>Chesterfield,</i>
<i>Falbot,</i>	<i>Beaufort,</i>	<i>Bristol,</i>
<i>Buccleugh,</i>	<i>Carlisle,</i>	<i>Bedford,</i>
<i>Bruce,</i>	<i>Bathurst,</i>	<i>Hereford.</i>
<i>Mansel,</i>	<i>Exeter,</i>	

The Contents were 59, not Contents 108.

and

and whoever thoroughly considers that which follows, (with which his Majesty took Leave of this Parliament, *April 25*) will be sensible, I hope, that I have Reason on my Side.

*My Lords and Gentlemen,*

"The Zeal and Dispatch, with which you have gone through the public Business, during the Course of this Session, are *undeniable Proofs* of your steady Regard to the Welfare of *your Country*, and consequently the most acceptable Testimonies of your Duty and Affection to me. The powerful Assistance, which you have given me, for carrying on the *just and necessary War*, in which I am engaged, is the best Means of reducing our Enemies to Reason: And the Vigour and Earnestness, which you have so seasonably shewn for the *Defence* of the House of *Austria*, and the *Maintenance* of the *Balance* and *Liberties* of *Europe*, must give the greatest Encouragement to *our Friends*. These are the Methods, to secure to this Nation that *Weight* and *Influence* Abroad, which its natural Strength and Situation entitle it to."

*Gentlemen of the House of Commons,*

"It is with particular Satisfaction, I acknowledge your Readiness and Application in raising the SUPPLIES for the Service of the

the current Year; which you have done with so just a Regard to the present *Exigencies* of the Public, as shews you to be the *true Representatives* of my faithful Commons."

*My Lords and Gentlemen,*

"I cannot part with this Parliament without publicly returning you my Thanks, for the many eminent Instances you have given me of your Fidelity and Affection to my Person and Government, your fixed Resolution to maintain the Protestant Succession in my Family, and your *unshaken Adherence* to the *true Interest* of your Country. You have with the most becoming Spirit and Firmness, exerted yourselves in vindicating and defending the Honour of my Crown, and the undoubted Rights of Navigation and Commerce, belonging to my Subjects, and enabled me to revenge those Wrongs and Insults, which, contrary to the Faith of Treaties, had been committed against both. In so critical a Conjunction, you have supported the national Credit, and *strengthened the Hands of my Government*, to a Degree exceeding the *Expectations* of those who wished well to us, and to the *manifest Disappointment*, of such as *envied our Prosperity*. At the same Time, you

you have demonstrated to all the World, That *Great Britain* is in a Condition, not only to defend herself, but also to afford a *due Support* to her Allies, and the common Cause of *Europe*. As such a Conduct must give a lasting Reputation to this Parliament, so it will be the Subject of *Emulation* to those, which shall come after it."

"I will immediately give the necessary Orders for calling a new Parliament. There is not any Thing I set so high a Value upon, as the *Love and Affection* of my People; in which I have so *entire a Confidence*, That it is with great Satisfaction I see this Opportunity put into their Hands, of giving me *fresh Proofs* of it, in the *Choice* of their *Representatives*."

"On the present Establishment depends the Continuance of our excellent Constitution in Church and State: And in *this Constitution* consists the *Security* of the *present Establishment*: Nothing can hurt the one, that will not in Proportion, undermine and weaken the other. For my Part, the *uniform Preservation* of both, and the *Maintenance* of the religious and *civil Rights* of all my Subjects, have been, and ever shall be my constant Care. Those who *distinguish* themselves by *persevering* in these Principles,

principles, shall always find my *Countenance* and *Favour*; and by invariably pursuing these wise and honest Measures, we may entertain the best grounded Hopes, that, under the Protection of the divine Providence, the Happiness of *Great Britain* will be perpetuated to Posterity."

And now (to make bold with a Pulpit-Phrase) for a few Words, by Way of Use and Application.

Every Body knows, That the antient Dread of this Nation, was of the Prerogative: Lest our Princes should, like those of *France*, grow weary of Parliaments, and resolve to govern by *Will* and *Pleasure*.

Every Body knows likewise, That the Reason of our tender Concern for, and Attachment to, Parliaments, was a long-established Persuasion, That by their Assistance, our Grievances would always be redress'd; That, under their Umbrage, our Liberties would always be safe.

But even our very Princes were, originally and constitutionally, no more than the *Guardians* of those Liberties; and if they could be capable of *Breach* of *Trust*, might not our Parliaments likewise deviate into the same crooked Road?

If, therefore those Princes, on Conviction, That it was not only a vain, but a desperate

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rate Undertaking to wrestle with Parliaments, should find it expedient to compromise the Affair with them, and agree to divide the Common wealth, between them, would not Parliaments themselves become a Grievance? Would not our Representatives become our Matters? Would not their Constituents become their Slaves?

Thus, if the Governing WITHOUT a Parliament was justly the Object of our Terror, If the Governing WITH a Parliament, was as justly, the Object of our Wishes,

The Governing BY a Parliament would be an infallible Method, not only to compass, but give a Sanction to our Ruin.

With Regard to the first of these Governments, our Terrors have, long slumber'd: For while we so *freely give*, why should the Sovereign take?

And with Regard to the Last — *Hinc ille Lachrymæ.* —

We have, in these Papers, Proof to Demonstration, That, from a certain Period, our Parliaments have done what they should have left undone, and have left undone what they should have done: That to the Calls of the Crown they have always answer'd; That to the Cries of the People they have been always deaf; That they have purchas'd on one Hand, only to

sell

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fell on the other ; That they have wav'd their Privileges in Complement to the Prerogative, and put them to the Stretch to oppress and subdue the Subject ; That, instead of redressing Grievances, they have authoriz'd them ; That, instead of prosecuting Malefactors, they have skreen'd them. And, That, instead of protecting and defending the Rights of their Constituents, they have perfidiously betray'd them.

Hence it is manifest, That the Constitution is every where undermin'd ; and at the first Sound of the Trumpet, like the Walls of *Jericho*, it will sink at once, into a Heap of Ruins.

In vain do we amuse ourselves with the Hope, That some future Parliament will rectify the Evils committed, or conniv'd at, by the pass'd.

Had we any Chance of working out our own Salvation, as it hath been once already observ'd, 'tis more than probable we should not be trusted with the Opportunity.

By the same Violence that one Parliament, chosen but for *Three Years*, could prolong their own Sitting for *Seven*, any other may presume to render themselves *perpetual*.

Experience shews us, That the Writ of Election to a *Borough*, and the *Conge d'Elire* to a *Dean and Chapter*, already operate in pretty much the same Manner:

That

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That those in Power are always sure of finding, or making a Majority in both Houses-- That the Dictates of the Privy-Council or first Minister are uniformly receiv'd by that Majority, as Laws ; That the grand Secret of G—t is to fleece with one Hand, and corrupt with the other ; and that the sole Relic of the PEOPLE'S POWER is the glorious Privilege, to sell themselves as often as they are favour'd with *Leave* to make a new Election.

So fatally true is the Maxim of that great Statesman, *Burleigh*, *That England could never be undone but by a Parliament !*

In a Word, so great is the Influence of the Crown become, so servile the Spirit of our Grandees, and so deprav'd the Hearts of the People, that Hope itself begins to Sicken ; and those who are dispos'd to go farthest in the Cause of the Common-wealth, are on the Point of crying out,

*If the People will be enslav'd, let them be enslav'd !*

Let it then be recollected, in this our Day, That even the Authority of Parliaments has a Bound : That they are not empower'd to sell, but to serve their Constituents : That whoever accepts of a Trust is answerable for the Exercise of it : That if the House of Commons should make ever so solemn a Surrender of the Public Liber-

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ties into any Hand whatever, That Surrender would be *ipso Facto* void: That if the People have Reason to apprehend any such Conspiracy against them, they have a Right not only to put in their Protest, but to renounce the Deed, and refuse Obedience: That in such a Case the Delegation they had made would be dissolv'd:

That, consequently, all Authority would return into the Hands of those who gave it; and with one united Voice they might call on the Prerogative to do them Justice, by dismissing such unfaithful Servants, and enabling them to make a new Choice. Which *God* of his infinite Mercy grant.

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