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REMARKS
ON A
PAMPHLET
INTITLED,
CONSIDERATIONS
On the Late
BILL
For Paying the
National DEBT, &c.

*He that is first in his own Cause seemeth just; but
his Neighbour cometh and searcheth him out.*

NUMBER I.

DUBLIN:

Printed in the Year MDCC LIV.

REMARKS

ON A

PAMPHLET, &c.

A Pamphlet having appeared lately, intitled, *Considerations, &c.* and professing to state impartially the Arguments in support of a Right claimed by the Crown, which intimately affects the fundamental Rights of this Country, wherein these Arguments and the Facts supporting them are yet in reality, stated with evident Partiality, Deceit, and Subtilty; it is a Duty due to the Public, to expose this unfair Dealing, as speedily as possible; and therefore are these few Remarks thus hastily sent after it, to prevent unwary honest Men from being beguiled out of their native Sense of Truth and Justice, and of those essential Rights, which no human Law bestowed, and which therefore, though Force or Fraud may bear down and destroy, yet no human Power nor Art, can possibly make void.

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In order to this, it may be proper, *first*, to make some Observations on this Author's Manner of stating the several Facts, upon the true State of which the Force of his subsequent Arguments essentially depends.

Next, to give an Account of these same Facts, dictated by Candor, and warranted by Circumstances which cannot deceive.

And last of all, to point out such of the grosser Mistakes in the Course of his Argument as may be sufficient to answer the Design of this Paper.

In *p.* 4. the Author professes, that his Pamphlet is an *honest Attempt to endeavour to quiet the Fears and Apprehensions of the People*; which Fears and Apprehensions He tells us had been raised, 'by Occasion having been taken without Doors, 'from the *Rejecting* of the late Bill, to spread 'Innuations injurious to Government, and tending to alienate the Affections of his Majesty's 'Subjects.' That the Affections of his Majesty's Subjects are greatly alienated one from another, is a sad and undoubted Truth, (tho' God be thanked, none of them from his Majesty;) and at whose Door this Mischief is chargeable may be made so evident, that he who runs may read; but this is not the Place: It is to be feared however, that the Author has, by his very manner of expressing himself in this his first setting out, but too plainly betrayed, that something else than this *honest Attempt to quiet the Fears and Apprehensions of the People* was the Intention of this Pamphlet. The Fears and Apprehensions of the People are, thanks be to God, and to the Fortitude of our Hundred and twenty-four Representatives, on the ever-memorable 17th of *December 1753*, already pretty well quieted, and have been so, from the Conclusion of that Day; so far was the rejecting of that Bill from being the Occasion of these Fears and Apprehensions, that these Fears were created, while

while the Fate of this Bill was in suspense, *lest it should not be rejected*; the Moment the Fate of the Bill was determined to their Wishes, that Moment their Fears vanished, and an universal Joy took place, and still subsists in their stead; their Deliverance was accomplished by *rejecting the Bill*; nor is it easy to guess what should make the Author insinuate that they at present stand in need of his Aid, for quieting their Fears: For what is there now subsisting, that they need to be apprehensive about, unless it be the Sufferings of some gallant Patriots who could not be made to swerve from their Duty to their Country, by any Apprehensions of Severity in regard to themselves?

In *p.* 5. the Author tells us, that the 'only 'Operation of the Clause,' (by which is meant the now well known Preamble) 'would have 'been a Parliamentary Acknowledgment of the 'King's antient Right to the *Application* of the 'Money in the actual Receipt of the Treasury; 'as had been made upon the like Occasion in the 'Bill of the former Session.'

What Unfairness and want of Candor discover themselves in these few Lines! Doth this Author really believe, that the Parliament, in the former Session, ever MEANT to make such an Acknowledgment as is here referred to? Doth he not *know in his Conscience*, that such an Acknowledgment was the farthest from their Thoughts? And upon what Principles of Truth and Honesty, can he represent to the unsuspecting Public, that the Parliament *made* this Acknowledgment, when he is conscious to himself that the very Reverse was as strongly, and much more universally their Sense then, as when the Bill was rejected this present Session? Shameful Prevarication! —

Farther, would not a plain Man be led by the Beginning of this Paragraph to imagine, that all that

that was wanted, was only that the Parliament should comply with the harmless Form of acknowledging what they themselves could not but confess to be an unquestioned, well-defined, as well as antient Right in the King, relative to the Application of the publick Money remaining at any Time in the public Treasury; and that there never was so much as a Suspicion in any Person's Mind, that the complying with this Form, would be vesting *any new or greater Power in the Crown* in regard to the Public-Money, than it was clearly possessed of before? and yet doth not every Man, at all conversant in these Matters, and this Author among the rest, assuredly know, that the contrary of all this was the Fact; and that there never would have been one Moment's Contest about the Matter, had not the *new Language*, introduced in the Duke of *Dorset's* first Speech in 1751, created a general Apprehension, 'that greater Powers were about to be claimed over the public Money of this Kingdom, than were hitherto understood to be warranted by any of the Principles of our Constitution.'

It is not now inquired whether such an Apprehension was well-founded or not, this will fall under Examination in its proper Place, but that this was in fact the Apprehension which occasioned the Debate, in Consequence of which the Bill was rejected, this Author cannot but perfectly remember; tho' doubtless, it must for ever give him, as well as the principal Leaders of his Party, Confusion to recollect what, at that Time, was so expressly declared, by one Gentleman particularly, then possessed of the highest nominal Distinction, and then, and now, incontestably possessed of far the highest Authority, in his Profession; who after lamenting, in the most gentle Terms, some undesirable Circumstances in the Constitution of this Country, pronounced it as an
invariable

invariable Purpose, in Regard to his own Conduct, to maintain this Constitution, in the State in which he found it: Whether this was not said with more Modesty, and Deference to present Authority, than strictly consisted with that supreme Respect which is indispensibly due, by every Man, to the essential Rights of his Country, let other Folks determine: But so it was, that after making this Declaration, the whole Course of his Argument was confined to this single Topic; and solely directed to demonstrate the Propriety and Necessity of *rejecting* this Preamble, if the House did not mean to give up a very essential Article, in the *present Constitution*, of this Country. Tho' this be notoriously the whole Truth of this Matter, yet it is easy to be accounted for, that so different a Representation is attempted to be imposed upon the Public. No one can believe that a Prince distinguished for his invariable Regard to Justice, in the whole Course of his Actions, and of so much native Goodness and Generosity of Heart, could have been prevailed on to disgrace a Number of his Servants, (all of them of unquestioned Loyalty, and zealous in their Attachment to his Majesty's Family and Government, and some of them, of such exalted Qualities, as eminently to adorn the Administration in which they were employed) and to do this with peculiar Marks of Severity, merely for endeavouring to prevent an Innovation, which they apprehended to be hurtful to the essential constitutional Rights of their Country; **FALSHOODS** MUST have been conveyed to the Throne; and False Representations may, in consequence, be judged necessary to be exhibited to the People; all this, some Folk's Spirits may allow them to practise; but it were to be wished that they would at least abstain from taking the sacred Word *Honesty*, and *honest Attempt*,
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into their Lips; — so far, however, is but a small Sample of the Licence of this Author.

With a View, as he professes, to set this Matter in a *clear Light*, he takes it up at the Year 1749. Why he chuses the Word Year instead of the more usual Word Session, it may not be worth while to inquire; but certainly, Men not acquainted with the real Nature of such Transactions, may be led to apprehend from his manner of expressing himself in that, and the following Paragraph, *p.* 6. that there were no other Commissioners appointed, but those by the Government, to state the public Accounts: — His Words are these:

‘ To set this Matter in a clear Light it must be taken up at the Year One thousand seven hundred and forty-nine: When, upon stating of the public Accounts by the Commissioners appointed for that Purpose, it appeared, that on the twenty-fifth Day of *March*, there was in the Hands of the Vice Treasurers or their Deputies, a Ballance of about Two hundred and twenty thousand Pounds.

‘ The Amount of this Sum rendered it an Object of public Consideration; and perhaps it was the first Instance of a Ballance in the Treasury that deserved any great Attention: It therefore well became those in Authority to consider in what Way the Whole, or Part, might be best applied for the Ease of the People, and for public Service.’

Surely, it was the Author's Evil Genius that dictated this Language; not the least mention of Parliament, tho' the whole of this Matter was fully transacted in Parliament, without the smallest Deviation from the usual Course of Proceeding practised by the House of Commons, the Beginning of every Session; but, telling the Matter simply might naturally have caused some such

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such unlucky Reflection, to start into ordinary Minds; for what Purpose all this Labour and Trouble, in stating Accounts and striking a Ballance, taken by the House of Commons? especially when it is known before-hand that some Ballance there certainly is remaining in the Treasury; and of what Significancy can the Knowledge of the exact Amount of this Ballance be to them, when, be it what it will, they it seems can have no Right so much as to interpose their Advice concerning the Application of it, nor any Part of it, unless previously permitted to do so, by an Intimation from his Majesty, that he would *consent* to their taking this Liberty; not a general Liberty neither, but only in regard to such Uses as he shall point out? Indeed when the Treasury is empty, and the Funds prove deficient, the Commons are then at full Liberty to become the first Movers for supplying this Deficiency, by taking more Money out of the Pockets of the People: Their Use in the Constitution, in regard to the fundamental Article of Money, according to our Author, being only to devise, and to be the original Movers for imposing, new Taxes on their Country; but to have no share, in virtue of any Right of their own, or of their Constituents, to interpose the least Advice in regard to the Application of those Taxes, after they are raised; for according to this new Doctrine, claiming any Share of this Sort, would be no less than invading his Majesty's established and antient Right.

Well! But tho' the Parliament has no Right to interfere in this Matter, our Author readily admits, and in very strong Terms asserts, that other Folks have: When the Money in the Treasury amounts to any considerable Sum, then it becomes an Object of *public Consideration*: It would have contributed not a little to that clear

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Light which our Author promised us, had he vouchsafed to have told his Readers what they were to understand by *publick Consideration*; but as he has left us pretty much in the Dark in regard to this Article, we must endeavour to find out his Meaning as well as the Rules of fair Criticism will permit: And so far it is to be presumed we may venture to proceed, without any great hazard of injuring or mistaking him, that by publick Consideration we are to understand the Consideration of the Publick: This however is advancing but a very small length; the arduous Article remains still upon Hand, how to investigate what or whom this Publick consists of, which has thus acquired an undoubted Right to make the Money in the Treasury, especially if the Sum be large, the Object of their Consideration? It would seem probable, from the Words immediately following, that be they what or whom they will, or be the Sum in the Treasury either large or small, their Right is the same; tho' in the latter Case, the Author pronounces, that the Object becomes unworthy of any great Attention. Here then we have got one Step farther; for tho' we are still at a Loss concerning this Publick, what *it really is*, yet we seem pretty well warranted to conclude, that according to our Author the House of Commons of this Kingdom, and consequently the Parliament of this Kingdom, is not this Publick, nor so much as make any Part of it; — most insignificant Parliament!

A third Step we seem likewise warranted to take, by the Sentence that immediately follows, in the Passage already recited; but when we have taken it, instead of obtaining more Light we shall but find ourselves involved in greater Obscurities; Language will not allow that the Words, 'Those in Authority,' should comprehend in their Meaning the *Whole of this Publick*; yet, by the

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the Office that this Author here assigns to, 'Those in Authority,' it cannot be doubted that They at least constitute a very essential Part of it: But here we are again as much at a Loss for a determinate Meaning of the Words now under Consideration as we were in the Instance before; whether we are to understand by them, the King and Council in *England*, and the Lord Lieutenant and Council of *Ireland*, together with the principal Law Servants of the Crown in both Kingdoms; whether all these, or more, or fewer than these; but though our Author may be shy, for pretty obvious Reasons, of being more explicit and determinate, in a Matter of this Sort, yet surely it can be no Difficulty on him to declare, in his next Edition, whether he doth not find himself strongly inclined to think, when at any time his Judgment insensibly gets into a composed and impartial Mood, that the OFFICE, which he has here assigned to *those in Authority*, would full as well suit the PARLIAMENT of *Ireland*, as it doth any Part, or the whole of the above Enumeration; the Sentence however, as it stands, is so singularly curious, that it cannot be unacceptable to repeat it by itself. "It therefore well became Those in Authority to consider in what Way the Whole, or Part might be best applied for the Ease of the People, and for public Service." Please now to make but the following Alteration, and see whether this Sentence, thus varied, must not instantly approve itself to the Heart and Judgment of every Man of Candour, connected with this Country; "It therefore well became the PARLIAMENT of *Ireland*, by WHOSE AUTHORITY THIS MONEY WAS RAISED, to consider in what Way the Whole or Part might be best applied for the Ease of the People, and for the public Service of this Kingdom." Is it in Nature, that common Sense can devise an Objection against

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such a Proposition as this? And did not the whole of the Transaction, in the Session 1749, under Lord *Harrington's* Administration, most perfectly correspond with it? And had this original Method been suffered to go on, is there a fair minded Man, who understands the Rights of Men, and the Principles of civil Government, that will undertake to shew even a Possibility of any Injury arising from this Method, either to the Community in general, or to any real constitutional Interest, or useful Claim of Right of his Majesty in particular? And beyond these, is there any Pretension to Prerogative which the King of *Great-Britain* and *Ireland* would wish to maintain; or that any King at the Head of a legal Government can have a Right to claim?

Here, though it may have the Appearance of a Digression, it may be of some Use to observe, that the Author, by the whole Strain of his Pamphlet, would seem to have it understood, that there is no other Measure of human and social Rights but what depends upon *Precedents*, and *positive Acts*, which, at any Time, and in any Circumstances, have happened to be made by the commanding Powers in the respective civil Communities of Mankind; the very Reverse of which is the Truth: So far are human Laws, all of them liable to Error and Perversion, and Multitudes of them, God knows, in most of the States upon Earth, no other than so many Instances and Engines of insolent Oppression and Outrage of *the few*, against those Rights of the *many* which they ought to maintain; so far are Decrees of this Sort from constituting the principal Rights of Men, that the Purpose of securing, more effectually, the Enjoyment of those natural, original, inherent Rights is the principal, legitimate, and righteous Foundation of all the Powers, Prerogatives, and Rights in civil Governments.

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Life, Liberty, and the Power of acquiring and disposing of Property, are original Gifts of God to Man; and the Exercise of that *unalienable* Right of doing Homage to his Maker in such manner, as from his own inward Persuasion, he expects will render him most acceptable, bound upon him as his indispensable Duty; all of them ascertained to every Individual, prior to all human Contracts, by that moral Perception inherent and essential in every Man's Breast, causing him at all Times to discern an unalterable Difference betwixt Good and Evil, Just and Unjust, Right and Wrong, and all the various Species of Integrity, Humanity, Fidelity, and Benevolence of Heart, on the one Hand; and of Iniquity, Perfidy, Violence, and Depravity, on the other; together with an inseparably concomitant Sense of Obligation to practise the former, and to avoid and abstain from the latter: A due Consideration of this, and likewise, that the several Powers in civil Government are no other than the Effects of voluntary Contracts, entered into by Men, antecedently independent, primarily for the Purpose of more effectually preserving those original Rights to which God has given every Individual of Mankind an equal and inviolable Title; and afterwards for carrying the Interests of the Community, and the Prosperity and personal Happiness of the Individuals to all that Extent, which the Nature and Circumstances of their Condition and Situation will permit, always having a most sacred Regard to those original Rights common to them and all other Men: When these Things are a little attended to, every Man of ordinary Understanding must be immediately sensible, that when at any time a Question, intimately affecting the Liberties and Property of a Community, comes to be the Subject of Debate, it cannot be enough, merely to assign a Precedent

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of Fact, (which yet in the present Case cannot in any one Instance be *fairly* assigned) nor even a legislative Act, without any Respect being had to the Time and Circumstances in which it was made; but in all Cases of this Sort, resort ought, in Reason and Justice, to be at all Times had to the primary and fundamental Purposes of that original Contract which constituted the various Powers and delegated Rights of the Legislative, and executive Governors of the respective Community; and if, upon a fair Appeal, the Subject in Question shall be found clearly inconsistent with, and repugnant to *this original Supreme Law, and truly divine Testimony*, it ought instantly to be given up, as having no Truth nor Righteousness in it.

The Writer of these Remarks finding that the Whole cannot be got printed in such Time as to answer his Design, chuses to interrupt the present Course of his Examination, in order to conclude this first Number with one or two short Observations on p. 18. wherein the Author professes to state the single Question, the Decision of which must, according to him, necessarily determine the whole Debate.— The Question, as he states it, is in these Words, ‘ Whether the Trust of applying the Money given by Parliament to the Crown without any special Appropriation, and in the actual Receipt of his Majesty’s Treasury, is by the Laws and Constitution of this Kingdom vested in the Crown for public Services.’ Now if our Author had not stopp’d here, but gone on in Words to the following Purpose, — ‘ And so solely, and absolutely vested in the Crown as neither to leave the Parliament at Liberty, at any time, to inquire whether this Money has been by the Officers of the Crown honestly applied to the public Services of this Country or not, nor are they to presume to point out any Pur-

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poses to which this Money might be usefully employed for answering future public Services; even in Cases where the Parliament on their Meeting shall find a large Redundancy of the Money given by themselves, remaining in the Treasury, after all the public Services, or Exigencies of Government, to that Time had actually been answered; no, nor even to propose the Application of any Part of it towards the Discharge of a Debt, which they themselves had brought upon the Nation, for answering public Services, when the Funds provided for that Purpose had proved deficient.’ Had the Question been stated by this Author in this fair, and the only fair and honest Manner; no Body probably would have had any Difficulty in joining Issue upon it; for, as the Justice, Wisdom, and Reason of the Thing must be eternally and unalterably against his Side of the Question, when thus fully and candidly stated, so whenever he shall think proper to produce *this Constitutional Deed of Trust*, to which he would seem to refer, he will most assuredly find, not by implication, but in express Terms, in the Body of this Deed, that the Parliament, who gave this Money, have for ever reserved the Right, as often as they shall meet, to inquire whether the Applications actually made, have been agreeable to the Purposes for which the Money was given; and likewise, as the first and great Council of the Crown, to point out such Uses of the public Money yet unapplied, as they shall judge most conducive to these public Services in time to come — But more upon this Subject when it shall come in its regular Course.

Perhaps it may seem but an idle Undertaking to set about in this Manner to detect the Fallacies, and expose

expose the Blunders of a Writer, who, from the Specimen already produced, must but too plainly appear to be somewhat defective in those Qualities which are absolutely requisite for meriting the Credit and Attention of the Public; and it is readily confessed, that it would be no less so in reality, than what it may thus seem, were it not that the Performance is already gloried in, as a valid Defence of a Measure, which, had it succeeded, or were it ever to succeed, must infallibly issue in rendering the Property and Liberties of this Country for the future precarious; relied on likewise as a successful Effort for stifling the Gratitude, and abating the Esteem of the Public, towards those worthy and gallant spirited Men, who, in resolutely vindicating the Rights of this Kingdom, were very well aware, that they were putting it into the Power of Malice and Falsehood to bring upon them a Repentment, which, of all Evils, but those of injuring their Country, and of wounding their own Spirits and Honour, they had always been most solicitous to avoid.

R E M A R K S

ON A

P A M P H L E T

INTITLED,

C O N S I D E R A T I O N S

On the Late

B I L L

For Paying the

National DEBT, &c.

He that is first in his own Cause seemeth just; but his Neighbour cometh and searcheth him out.

N U M B E R II.

D U B L I N :

Printed in the Year MDCCLIV.

REMARKS

ON A

PAMPHLET, &c.

THE Author having told us, (p. 6.) 'That it well became those in Authority,' (and them only, if he meant any thing to his Purpose) 'to consider in what way the Whole, or Part, of this Money,' (then in the Treasury) 'might be best applied for the Ease of the People, and for public Service,' proceeds to tell us in the next Paragraph, that, 'Whether the Proposal moved from the then Lord Lieutenant, or from some other Person, that Part of this Balance should be applied to the Discharge of so much of the national Debt, he could not take upon him to say; nor, in his Judgment, is the Enquiry material:' Now, to a plain Man, such a Manner of writing as this must necessarily appear not a little extraordinary; it is the whole Burthen of the Pamphlet to prove, 'that the King himself has the sole and exclusive Right of being the first Mover, in regard to the Application of all such Redundancies;' yet he would seem here to say, that it is no way material who was the Mover: if to get clear of this untoward Appearance, a Distinction shall be taken betwixt the original Mover on the other Side of the Water, and the Person

Person moving it on this, in Pursuance of his Direction; it is much to be doubted, that this Distinction will turn out very little to our Author's Relief: The Lord Lieutenant, when he is in this Kingdom, has the sole Right of declaring what are his Majesty's Directions, and, in his Absence, this Right devolves to the Lords Justices; now, in order to serve the Purpose of his grand Doctrine, it is absolutely necessary for him to prove to a Certainty, that one or other of these was, in Fact, the first Mover in declaring his Majesty's Consent, that such an Application of Part of this redundant Money should be made towards the Discharge of the national Debt; yet he now tells us, that instead of being necessary, it is no way material, whether it was the Lord Lieutenant, or whether it was some other Person who was the first Mover concerning this Application. Surely, if this Author was to be taken at his Word, and that his Word was to be decisive of the Question in Debate, the Cause so strenuously contended for, is, in the most expicite Terms, here clearly given up; for, if a Person not authorized by the King, may yet have a very good Right to become the first Mover in this Kingdom, in regard to the Application of Money lying in the Treasury, it will be pretty difficult to assign a Reason, why the House of Commons, or any one of their Members, may not have as good a Claim to the Exercise of this Right, as any other Person or Persons resident or not resident in this Kingdom.

The Author next goes on in p. 7. to acquaint us, 'that whoever was the first Mover, it was the Attorney-General who moved for this Application in the House,' and, That he made this Motion without making any Mention of his Majesty's having notified his previous Consent, may be safely taken for granted, not merely from this Author's Silence on that Head, but from the

ingenious Apology which immediately comes after ; not for the Attorney alone, but for all the Gentlemen who conducted the Affair on this Side of the Water ; the Author's Words are these, p. 7. ' As the Occasion was new, it is not to be wondered at, that the Gentlemen who conducted the Affair, on this Side the Water, should not be exact as to the Form in which his Majesty's *Consent* ought to appear : And, probably, they apprehended that the Return of a Bill for that Purpose, under the Great Seal of *Great Britain*, would be a sufficient Notification of his Majesty's *previous Consent* to such *Application*.'

This Gentleman has not thought proper to give us his Name ; but, it is to be feared, that he has, in this Paragraph, set a very strong Mark, or what, at least, will be called so, of the Country he lives in. The Attorney-General is here introduced as reasoning with himself, and with those in Authority, in good round *Irish*, to the following Purpose : ' Though I know very well, and all of us must be sensible, that an Acknowledgment ought to be made by Parliament, of its being an unquestionable Article of his Majesty's Prerogative, that no Heads of a Bill of this Sort, can be brought into Parliament without a *sufficient Notification* of his Majesty's *previous Consent* ; and though we have not had any such Notification, nor do the Heads of the Bill, which I have now in my Hand, contain any such parliamentary Acknowledgment, yet shall we be very proper in bringing it in notwithstanding, because the passing it in *England*, about six Weeks hence, and sending it back, under the Great Seal, in the very Words in which it is now expressed, will be a sufficient Notification of his Majesty's *previous Consent*

' Consent to the Application of the Money, which we are this Day going to propose ; tho' it is confessed that we can have no Right to meddle with it, without having had this sufficient Notification some Time before.' *Risum teneatis ?* — But Non-sense is too harmless a Thing to be made, merely on its own Account, the Subject of these Remarks. This wonderful Paragraph, though it may be utterly void of any real and determinate Meaning, yet it is not, for that Reason, incapable of having some very real and significant Effects ; it is not, indeed, easy to guess why the Word *Notification* is thus introduced towards the End of it. Notification to whom ? Not to the House of Commons, for they had done all that was material for them to do, six Weeks before this Notification was given ; and, surely, a *Notification* now, or even at any Time before, could be, in no Sense, an Evidence of a *Parliamentary Acknowledgment of the King's antient Right to the Application of the Money in the actual Receipt of the Treasury*, which yet this Author wants to have it understood, was an essential Article in the *Intention* of this Bill, though the Folks, then in Authority, being *Novices*, did not well know how to express it : There is one Sense, indeed, and it would seem the only one, in which this Word *Notification* might be understood with great Propriety, as well as Truth ; as no Person, whether *ordinary* or extraordinary, could possibly avoid considering the passing of this Bill, wherein no such parliamentary Acknowledgment was made, under the Great Seal in *England*, as a very sufficient Notification to the Parliament of this Kingdom, and, indeed, to all the World, that, in the Judgment of the King, and of the Council in *England*, NO SUCH PARLIAMENTARY ACKNOWLEDGMENT WAS, AT THAT TIME, THOUGHT NECESSARY ; and that, in bringing in this

this Bill in the Manner they did, the House of Commons of *Ireland* had done no more than what they were well intitled to do in *Affirmance* of their inherent constitutional and antient Rights.

But, no Matter, with our Author, whether any, or what, Sense can be put upon his Writing, provided he can, by any Means, beguile his Readers into an Opinion that, in this last Session, under Lord *Harrington's* Administration, it was universally understood, that the House of Commons neither had, nor claimed to have, any Right, in Regard to the Publick Money redundant in the Treasury, but what was given them in Virtue of his Majesty's previous and notified Consent. The contrary of which, in every Circumstance, is not only notoriously the Truth, but there are the strongest Presumptions that the Author must have known it to be the Truth, though he thus writes.

Our Author goes on, in p. 8. to cite Part of the Preamble to this Bill, as it was then brought in, wherein are these Words, 'Whereas a considerable Ballance remained in the Hands of the Vice-Treasurers *unapplied*, and it will be for your Majesty's Service, and for the Ease of your faithful Subjects of this Kingdom, that so much thereof, as can be conveniently spared, should be *paid*, agreeably to your Majesty's most gracious Intentions, in Discharge of Part of the said Debt;' to wit, the national Debt; and then immediately proceeds to make the following Remark; 'From hence an ordinary Person would certainly have understood, that his Majesty's Intentions (which, according to him) *amount to Consent*) had been signified previous to the Recital:' Now, fair-minded Reader, please to judge of the Candour of this Author's Procedure: In the former Page he acknowledges, that, in the Judgment of the Attorney-

Attorney-General, and the rest of the Folks in Authority, a sufficient Notification of his Majesty's Consent had NOT been signified previous to the Recital; and here he tells us, that, 'in the Judgment of an ordinary Person,' which must be understood as synonymous with a Person of common and ordinary Sense, such a Notification of 'his Majesty's Consent HAD been signified previous to the Recital: And that his Majesty was allowed thereby to be judge of what could be *conveniently spared*.' That his Majesty is allowed to be a Judge of all Applications of the publick Money, has never been disputed; nor can this Author possibly point to any one Instance, or Circumstance, in which there is the least Appearance of this Right in his Majesty, having ever been brought into Question. In the present Case, the Words are exprefs; his faithful Commons acquaint his Majesty, 'that it will be for his Majesty's Service, and for the Ease of his faithful Subjects of this Kingdom, that so much of the Ballance, then remaining in the Treasury, as can be *conveniently spared*, should be paid agreeably to his Majesty's most gracious Intentions, in Discharge of Part of the national Debt,' and then proceed to point out to his Majesty the Sum which, according to their Judgment, might, for the present, be conveniently applied for this Purpose.

All this is just as it should be; his Majesty may, doubtless, at any Time declare his gracious Intentions in Regard to the Ease of his Subjects, and the Benefit of publick Service; and, in a Case of so obvious a Nature as the doing an Act of common Justice, in paying the national Debt, so far as the publick Money can, from Time to Time, be conveniently spared for that Purpose, the Intentions of so just and excellent a Prince as his present Majesty may most assuredly
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be taken for granted, without any formal or explicit Declaration; whether the former, or the latter, was in Fact the Case, in the Instance at present under Consideration, cannot be now determined with Certainty, from any of the general and publickly known Circumstances which attended that Matter; though the latter would seem the more probable of the two, as there was not the least Intimation of these royal and gracious Intentions in the Speech, which at the Beginning of that Session, was delivered from the Throne. But, be this Matter as it will, can any Man insist, that the Mention here made of his Majesty's Intentions, in the Recital of these Heads of a Bill, is equivalent to a PARLIAMENTARY ACKNOWLEDGMENT that his Majesty's previous Consent is NECESSARY, before the House could have a Right to bring in such Heads of a Bill? Might not his Majesty declare his gracious Intentions, without its being necessary that he should have done so? And might not the House of Commons have made that Mention of these Intentions which they have done, without having the least Conception, that, by this Manner of expressing themselves, they were making a *parliamentary Acknowledgment*, both of his Majesty's *antient Right* to insist, that no Heads of a Bill of this Sort should be brought in, without a sufficient Notification beforehand of his Majesty's previous Consent; and likewise of their having actually received this sufficient Notification? On the contrary, when the Form, here made use of in this Recital, comes to be carefully looked into, it must appear highly improbable, or rather, indeed, altogether impossible, that they either *could* have received this sufficient Notification, or, that they ever intended to make this *parliamentary Acknowledgment*. It is undoubtedly

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doubtedly true, in that Regard to the Application of the public Money, the King has a salutary constitutional Right to judge of *the Occasion, the Time, and the Sum*; not meerly in Conjunction with the other Branches of the Legislature, but likewise *separately*, especially in the Intervals of Parliament; and this for the very Reasons which our Author, towards the Bottom of *p. 34.* hath assigned; 'The Parliament has uncertain Times of meeting, but the Exigencies of Government are daily and hourly. In many Instances they cannot admit of Delay, and would be defeated, if disclosed; and yet all these must be unprovided for, unless such a *Trust* be admitted in the Crown.' Now, though these Reasons, as they stand connected in the Pamphlet, are evidently intended to support a Doctrine absolutely subversive of all Liberty, yet this doth not hinder but, in the Manner in which they actually stand qualified by their Connection and Relation to the real Constitution and legal Government of this Country, that they ought to be acknowledged truly cogent and weighty; and surely, no Man, of common Sense and Modesty, will contend, that taking them in this only fair and constitutional Light, such Consequences as the following can, by any candid and legitimate Reasoning, be justly deduced from them. Will it follow, for Instance, that because the King, during the Intervals of Parliament, may, and MUST, have a Right to judge of what will be most conducive to the Ease of his People, and for public Service, and, in consequence, to judge 'upon what Occasion, at what Time, and in what Sum,' the public Money, so absolutely requisite for answering these benign and necessary Purposes, is to be applied, therefore, the Parliament, who raised this public Money, and are now met, and actually

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ally fitting in order to raise more, cannot consistently have likewise a Right to judge what will be most conducive to the Ease of the People, and for public Service? Will it follow, that because the King, in the Interval of Parliament, had applied the public Money, in all such Instances as he saw necessary for answering these inestimable and alone salutary Purposes, therefore the House of Commons, tho' possessed of the *best* Opportunities of knowing what would be most conducive to the Ease of his Majesty's Subjects, and, likewise, in many Instances, of what would be most useful for the public Service, may not so much as presume of themselves, to point out any Uses to which Part of this Money may still further be applied, however highly productive of those excellent Ends, without incurring the Imputation of invading his Majesty's Prerogative and his *ancient Right*? Or, will it follow, because more Money is now to be levied off the People by Parliament, for answering these indispensable Purposes, for the two Years to come, that, therefore, they can have no Right to consider, or propose, the unapplied Redundancy, which had been, in the Course of the two Years before, raised off the People, in Virtue of their Authority, and occasioned, principally, by an extravagant Importation of Luxuries, (a most impoverishing, and, of course, the more likely to be, a quickly transient Cause,) *as fit to be taken in* for part of the Supply which would be wanted for answering the Purposes of EASE TO THE PEOPLE, and the public Service, for the ensuing two Years? Or, can it possibly follow, from the King's having a Right to apply the public Money for the Ease of the People, and for the public Service of this Kingdom, and for these

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these Purposes only, that, therefore, the Parliament can have no Right to inquire, whether this public Money, solely granted for these two Uses, has been, by his Majesty's Servants, faithfully applied, in Discharge of this sacred and inviolable Trust, reposed in his Majesty, or not?

Doth not every one see, who hath Eyes to *see*, that, if any one of these Consequences, and much more, if the whole of them, were to be admitted, which yet is the governing Intention of this Pamphlet, from one End to the other, this Country can no longer be said to enjoy the Protection of Laws, But to live wholly at Mercy; bereft of all those natural Guards which other Countries have ever esteemed the only valid Securities for the permanent Enjoyment of their Property and Liberties? What doth it avail to say, that the public Money is granted to the King, only in order to be applied for the Ease of the People, and for public Service, if no Inquiry is to be made in regard to this Money, whether the Officers of the Crown have been faithful to their Trust, in confining the Application of it to those Uses, or not?

What can such soothing, and well-sounding, Words avail, (unless to beguile the unwary) if the Parliament, who have hitherto been accounted his Majesty's supreme Council, are no longer to have the Right, so much as, of advising his Majesty, in regard to the Application of any part of that Money which was wholly raised in Virtue of their Authority; though they must, of Necessity, in many Instances, be allowed the very best Judges of what will be most conducive to the Ease of the People, and to the public Service; Purposes, to which, alone, the *whole of the Application* ought to be confined? If the public Accounts cannot be called for by the House of Commons, of *Right*, but only *desired*,

as a *Direction*, wherein doth such a Description differ, even in Language, from what is to be given of the most despotic State upon Earth? Whatever their Practice may be, no Power, however absolute, will yet publickly avow any other Purpose in taxing the People, but the Protection of the Community, and for the more effectually answering all the other Exigencies of Government: So that in these beguiling Words of this Author's Wisdom, which, with some little Variation, he has artfully scatter'd through the whole of this Work, the attentive Reader must quickly be sensible, that all he has got is a Mouthful of Moon-shine; and, as often as he takes up this Pamphlet in his Hand, must naturally call to mind the Allusion of the Sepulchre, whited without, but when you come to look into it, nothing is to be found but Emptiness at the Top, and Rottiness at the Bottom; some few dispersed and broken Lineaments of Liberty may here and there be found, but the lovely and well-proportioned Form is totally dissolved, and the animating Spirit vanished; never, if the Doctrine of this Author should fatally take Place, never more to be restored.

Can any Thing be more evident, than if our present, *good King, may not, a bad King*, if any such Curse should ever befall these Kingdoms, most certainly WILL NOT suffer his Tax-gatherers, and Keepers of the Treasury, to be accountable to the Representatives of the People for the Application of the public Money after it is collected; and if devising of Taxes, and putting them into a Way of being raised under the Colour of Law, be all the Right which the Representatives of the People are qualified to exercise, in regard to the fundamental Article of the Supplies of Government, it would seem much more for the Advantage of their Constituents, *'the People themselves,*

selves, that those Tax-gatherers should be left to gather in the Taxes without any such Sanction.

But it will be high Time to proceed to the second Purpose of these Remarks, namely, to give an Account of those Facts, which it is essential to know, in order to form a right Judgment of the Merits of this important Question which the Author has ventured to bring into Debate; an Account dictated by Candor, and warranted by Circumstances which cannot deceive; after it has been shewn, in a few Words, 'that the Preamble to the Bill, in the Year 1749, is so far from being an Evidence, that the Parliament, at that Time, meant to acknowledge a *Notification* of his Majesty's previous Consent,' or that they had so much as the least Apprehension of such a Consent being necessary, that, if carefully attended to, it would seem to demonstrate the contrary of both; for however ignorant or awkward they might have been in making their Acknowledgments, a Supposition, which merely the Circumstance of the Occasion being new, is far from justifying in regard to an Assembly, distinguished by Members of as great Abilities, as, perhaps, are to be found in any Assembly in *Great Britain* or *Ireland*, yet it would have been impossible, had there been any such Intention in their Thoughts, that they could have expressed themselves in Words which so evidently imply the very Reverse: After having observed to his Majesty, that there was a considerable Ballance in the Treasury on the 25th of *March*, which remained unapplied, they proceed thus, 'And it will be for your Majesty's Service, and for the Ease of your faithful Subjects of this Kingdom, that so much thereof as can be conveniently spared, should be paid, agreeably to your Majesty's Intentions, in Discharge of Part of the said Debt.' Here every Body must

must see, that, instead of acknowledging to have received any Notification from his Majesty of *his Consent*, or even *Recommendation*, to make such an Application, the House of Commons, as his Majesty's great Council, *take upon them to inform his Majesty*, that 'such an Application will be for the Ease of his Subjects, and for his Majesty's Service.' Had they meant to have vindicated their Right, not an exclusive, but a coordinate Right of being the first Movers in regard to such Applications, could they have expressed themselves in stronger Terms? Indeed, the Truth would seem to be, that they thus expressed themselves, because it was the natural Manner upon such an Occasion; not having, at that Time, the least Apprehension that such a Right could ever be called into Question: And that the Manner of Expression here used was not Words of Course, or Form, which would have been the same had his Majesty been ever so incontestably the first Mover, happens to be made extremely evident, from the remarkable Variation in the Preamble to Heads of a Bill of the same Intention in the subsequent Session under the present Lord Lieutenant. At the Opening of the Session, 1751, his Grace, in his Speech, having acquainted the House, 'That he was commanded by the King to acquaint them, that his Majesty, ever attentive to the Ease and Happiness of his Subjects, would graciously *consent*, and *recommended* it to them that such Part of the Money then remaining in his Treasury, as should be thought consistent with the public Service, be applied towards the further Reduction of the national Debt;' the House of Commons, in the Preamble to the Heads of the Bill brought in that Session, instead of saying, 'that it will be for your Majesty's Service, and for the Ease of your faithful Subjects of this Kingdom,'

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make 'thankful Acknowledgments of his Majesty's gracious Attention to the Ease and Happiness of his Subjects, in recommending the Application of the Money remaining in the Treasury, so far as it might be consistent with the publick Service, towards the further Reduction of the national Debt, &c.' The Forms of the two Preambles are totally different, because the Circumstances were different; in the first, it was the House of Commons that recommended to his Majesty such an Application of the redundant Money; and, in this, it is his Majesty who recommends such an Application to the House of Commons; both Forms alike constitutional, and perfectly correspondent to the real Facts they represent; but both of them utterly repugnant to the Doctrine and Fact which this Author wants the Public to believe, *viz.* "That a Notification of his Majesty's previous Consent was absolutely requisite, according to the Constitution, before the House of Commons could bring in any Bill relative to this redundant Money, and that the House of Commons were sensible of the Truth of this Doctrine, though they did not know the proper Form in which they were to express it." The former Precedent, in Lord Harrington's Time, shews most evidently, that they did not wait for any such *Notification*, or were at all apprehensive that any kind of *Notification* was requisite; and the other demonstrably proves, that so far from being sensible of the Truth of the above Doctrine, they purposely withheld making any Acknowledgment for his Majesty's signifying his *Consent*; and thereby as clearly shew, as the Nature of the Thing would permit, that they were alarmed at the Introduction of a Language perfectly *new*, and consequently could not be thankful for what they apprehended might possibly be construed, some Time or other, to the Injury of their Country.

After

After this, there can be no farther Use in pointing out Instances of this Author's Misrepresentation and Design to mislead, and therefore before putting an End to this first Part of the Remarks, it is only desired of the Reader to take a Review of the 7th, 8th, 9th, 10th, 11th, 12th, and 13th Pages of his Pamphlet, and then to judge, whether it is not his evident Purpose to lead the Publick into the Belief of two Facts which he as assuredly knew to be false, as that he knows any one Circumstance of the Matter.

The first is, that, in Lord *Harrington's* Administration, the House of Commons did actually intend to make their Acknowledgments of his Majesty's *previous Consent and the Intimation thereof, being necessary*, before they could think themselves at Liberty to bring in any Heads of a Bill relative to the *Application* of the redundant Money, while yet the whole of their Procedure demonstrated the contrary. The other is, that the House of Commons, in the first Session under the present Administration, did voluntarily and thankfully make their Acknowledgments for his Majesty's being graciously pleased to signify that he *would consent, &c.* though every Circumstance attending that Transaction, as well after the Return of the Bill from *England*, as before it went over, excepting the single Article of *not rejecting* it, did as clearly demonstrate, as Words and Actions could demonstrate, that they were in reality, far from being satisfied with any such Language as had, on the other Side of the Water, been put into their Lips.

END of the SECOND NUMBER.

REMARKS

ON A

PAMPHLET

INTITLED,

CONSIDERATIONS

On the Late

BILL

For Paying the

National DEBT, &c.

He that is first in his own Cause seemeth just; but his Neighbour cometh and searcheth him out.

NUMBER III.

DUBLIN:

Printed in the Year MDCC LIV.

REMARKS

ON A

PAMPHLET, &c.

HAVING pointed out in the preceding Part of these Remarks, what may be more than sufficient to satisfy every plain-hearted Man, that, in the Representation which our Author has given of the Facts on which his Arguments were to be founded, he could have no other Intention but to deceive; what is next to be done, is, to give an Account of all such Facts as are naturally connected with the Subject in Debate, dictated by Candor, and warranted by Circumstances which cannot mislead. This is a Task which is now become necessary; not of itself, and from the Nature of the Subject, but because great Subtilty and worse Arts have been used, to puzzle and confound the Public in forming their Judgment on the Merits of a Question, which otherwise might safely have been left to the immediate Reason and Feelings of every fair-minded Man.

But, before descending into Particulars, it may be of some Use to make the following general Observation; That as this is a Question which reaches

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reaches to the very Root of our Liberties, and stands most intimately connected with the *essential Rights* of the Community under every legitimate Form of civil Government, the Parliament of *Ireland* ought, in all Justice, to be allowed, in its full Extent, the Benefit of the same Maxim, in Behalf of the inherent Rights of the People, which is claimed by our Author (*Page 44.*) in Behalf of the Prerogative of the Crown: If the latter, which is at best only an artificial Right, having no higher Origin than Custom or Compact, and so vague and undefined in its Nature, as not only to vary in the various Forms of civil Constitutions, but to be subject to many Fluctuations in the same Constitution, if this *artificial Right* cannot be affected by *Implication*, or taken away but by clear Words in an Act of Parliament, or express Concessions from the Crown, much less should any of those Rights of Parliament, essentially connected with the natural and original Rights of Men, Rights conferred on them by their Maker, and which, consequently, cannot be taken from them without their own Consent, surely much less should any such Rights of Parliament be thought capable of being affected by *Implication*, or taken away but by clear Words in an Act of Parliament, or express Concessions from the Representatives of the People, or from the People themselves.

If this Observation has any Foundation in Justice and Sense, one would be apt to imagine that the *Right*, and of Course, the Necessity, Propriety, Fidelity and Dignity of the late Conduct of the House of Commons in Vindication and *Affirmance of this Right*, must visibly stand confessed; at least till these clear Words in an Act of Parliament, or a Deed of Conveyance, or Concessions from the PEOPLE, or the REPRESENTATIVES of the People, shall come to be produced.

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duced. Indeed, if such Authorities as *supra* had at present any Existence, though even then they could not make any Alteration in the Nature of Things, and consequently could not make void the everlasting most righteous Title of the Community to a *valid Security* for their essential Rights and Liberties; yet they would certainly make a material Alteration in Regard to the Merits of the Question, which was in Fact the Subject of the Debate in the House; namely, *Whether the House of Commons, in themselves, have not a constitutional Right to propose and recommend to his Majesty such Applications of the redundant Money which they, on their Meeting, happen to find in the Treasury unapplied, and after the usual Exigencies of Government had been answered, as they shall judge most conducive to the Ease of the People, and for public Service; and to make this Proposal, whether they had, or had not received any previous Notification from his Majesty, that he would consent to these Applications? And likewise in Instances where they had received such Notification, instead of being obliged to make a parliamentary Acknowledgment, that it was ONLY in Consequence of his Majesty's having been graciously pleased beforehand to signify his Consent, they had thus taken the Liberty of offering such a Proposal, whether they were not, on the contrary, necessarily obliged, by their Regard to Truth, and by that inviolable Fidelity and Respect which every Man owes to the constitutional Rights of this Country, resolutely to withhold all such Acknowledgment? And lastly, whether the Exercise of this Right in all the Extent to which they in the present Instance claim to exercise it, is not perfectly consistent with his Majesty's full Enjoyment of those royal Rights and Prerogative of which he is at present possessed in Regard*

gard to this Kingdom? not merely his parliamentary Right, common to the Constitution of Britain and of Ireland, of refusing his royal Assent, and thereby preventing the Applications proposed, as often as they happened to appear to him not salutary for his People, or inexpedient, for the public Service; but also his constitutional Right peculiar to this Country, a Right of applying this redundant Money in such Manner as he shall judge most conducive to the Ease of the People and the Exigencies of Government in this Kingdom, after having disapproved of the Applications proposed by his Commons; still however with this ESSENTIAL LIMITATION, that his Servants must, at all Times, STAND ACCOUNTABLE TO PARLIAMENT, not merely for the Manner, but for the Nature of these Applications; and, in general, of all Applications of Money raised off the People, and brought into the Treasury, in Virtue of the Authority of Parliament. That these and these only, were the material Topics which were urged on the memorable 17th of December, for shewing the Propriety and Necessity of rejecting the Bill, every Man, who was present, and attentive on that Day's Debate, can readily testify; and that these Topics, if properly supported by Facts and Circumstances, are unanswerable Arguments for rejecting this Bill, an Appeal is now made to the Reason and Feelings of every plain honest Man who shall think himself concerned to inquire into the Merits of this Question: What was urged on the other Side, in Defence of the Alteration, and in Opposition to these Topics, it is not so easy to represent; nor can it now be material, as this Author's Performance seems to be at present relied on, for a valid and masterly Defence of this Alteration; and therefore containing every Thing that is necessary, in order to prove 'That the Heads
' of

' of this Bill, as they were sent into *Great Britain*, were an anticonstitutional and manifest ' Invasion of his Majesty's Prerogative, and consequently the Alteration became absolutely unavoidable in Vindication of his Majesty's anti- ' ent and constitutional Right: ' It is certain, the Minority on the Question of that Day seemed very little agreed, or, some of them, even satisfied in their own Minds, in Regard to the Ground on which the Defence of this Alteration was to be rested; nor is it to be wondered at, when a solid Rock is not to be had, that there should be great Variety and Perplexity in regard to the artificial Foundation to be devised in its stead. Some seemed willing to have it understood, that the Whole of the Redundancy, though, in the Gross, consisting of Money, which, a few Months before, had been the Property of the People, and paid into the Treasury for the Benefit of the Public, yet, by happening to have a small Quantity of what was alledged to be his Majesty's Property mixed along with it, had, by that Means, its whole Nature totally altered; an Operation so incomprehensible, that some Folks may be apt to resemble it to a Transmutation of Metals: But though this Mixture should not be allowed fully to come up to the Philosopher's Stone, yet it must be confessed to have all the Efficacy of a *real* and well-known chymical Preparation called *Aqua Regia*, at least in regard to the People, in dissolving of Gold: Dissolving it in such a Manner, as that none but the Hand or Instruction of the Royal Chymist can be capable of restoring it or any Part of it to its former State of public Utility: Others very readily allowed that his Majesty was only to be considered in the Light of a Royal Trustee, but a Trustee so solely possessed of such absolute and exclusive Powers over the subject of this Trust, that the Parliament cannot so much as claim the
Liberty

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Liberty of intermeddling so far as *giving Advice* in regard to the Execution of this Trust without his previous Leave; and some who, in their first setting out, seemed zealous for asserting his Majesty's personal Property in all such Redundancies, before they came to a Conclusion, were wanting the House to believe, that his Majesty, by the present Alteration which had then been sent over to them, instead of claiming any Property for himself, had now very clearly declared to his faithful Commons, that the Right of disposing of this Money was in them.

Thus, not being able to find out any *one solid Foundation*, these new Master-Builders found themselves reduced to the Necessity of erecting this Tower of unheard-of Prerogative on a Number of separate Pillars; which, after having been thoroughly shaken by several very strong Currents, of *Precedents, Law, and Sense*, were, in Virtue of all these coming to be united in one irresistible Torrent, swept at length clean away, without leaving any Stead; and an infinite deal of Mischief which imminently threatened this Country; to the inexpressible Joy of its Inhabitants, carried off along with it.

But not to take up any more of the Reader's Time with Matters of this Sort, as it may now safely be taken for granted, that the Representation which is given by this Author, of the Merits of the Question, is acknowledged by the Leaders of the Minority, in that Day's Debate, to contain what they would have understood to be the *real Merits*, Issue remains now to be joined,

First, Whether the Merits of the Question, as this Author hath stated them; or as they have been just now stated above, are the *real Merits*?

Next, Whether the Facts and Circumstances which are going to be produced, do not sufficiently

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ently support, in every Article, the Merits of the Question as above stated; and consequently demonstrate, 'That the House of Commons, 'in bringing in the Heads of the Bill which 'occasioned this Debate, in the Manner they 'did, acted, not only in conformity to that original, salutary, and necessary Right which, in 'all Reason and Conscience, they *ought* to possess, but likewise in pursuance of a Right of 'which they are in *fact* possessed, in Virtue of 'the present constitutional Rights of this Kingdom?' This Issue is the more cheerfully joined with our Author, because, by this means, the Question is kept clear of Abundance of Rubbish, which had been thrown out, in Distinctions between Rights arising from the hereditary Revenue, and those from the additional Duties: And again, in farther Distinctions of Rights respecting the *various* Articles which constitute this hereditary Revenue, &c. our Author expressly acknowledging, that the Redundance of the Money in the Treasury amounting to a large Sum, it then, and 'therefore very well 'became those in Authority to consider in what 'Way, the WHOLE, or Part, might be best 'applied, FOR THE EASE OF HIS PEOPLE, AND 'FOR PUBLIC SERVICE,' viz. for the Ease of his Majesty's People of *Ireland*, and for the public Service of this Kingdom.

Some Notice has already been taken of this Author's Manner of stating the Question, but it is still highly proper in this Place to repeat his State of it, in his own Words, (*Page 18.*) '— Which brings the Whole to this single 'Question, *Whether the Trust of applying the 'Money given by Parliament to the Crown, without 'any special APPROPRIATION, and in the actual 'Receipt of his Majesty's Treasury, is by the Laws 'and Constitution of this Kingdom, vested in the 'Crown*

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‘*Crown for public Services?*’ Again, in p. 22. I shall therefore submit to the Reader’s Consideration, such Reasons as seem to me conclusive to prove, *that the Trust of applying the Money given by Parliament to the Crown, without any special APPROPRIATION, is, by the Laws and Constitution of this Kingdom, vested in the Crown for public Services.* Surely a more insidious Design than what is here disclosed by this Author, can hardly be found in any Writer; a Design to make the World believe that the House of Commons of *Ireland* had refused to acknowledge, that the Trust of applying the Money given by Parliament to the Crown, without any special Appropriation, *was vested in the Crown for public Service*, but on the contrary had obstinately persisted in asserting that this Trust was NOT vested in the Crown for public Service. To what a miserable State must this Advocate have found himself reduced, and how wretched must the Cause have been which, in his Opinion, would not admit of any other Support than roundly to assert, that, what has just now been quoted *was the Whole of the Question?* When he and his Clients could not but perfectly know, that it was neither the *Whole*, nor so much as any the very least Part of it; unless that can be called the Whole or Part of a Question, which the other Side never disputed, and in which both Parties expressly profess to agree; in the present Instance fully agreed to, at least, by every Member of the Body opposite to his Clients, and it is to be presumed, agreed to now pretty universally likewise by them; though some of them, on a certain Occasion, seemed unwilling to own that the Whole of the Money was vested for *public Service*.

That the Articles which have been represented in this Paper as containing the real Merits of this Question,

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Question, do, in Truth, contain them, must be evident to all the World, as well as it was to those who were present at the Debate; from this single Circumstance, a Circumstance of which every Man may be a Judge; ‘That, in Case these Articles can be well supported by Facts and Circumstances, then must the House of Commons have had a *constitutional* Title and Right to send over the late Heads of a Bill in the Manner they did;’ and then likewise must they have found themselves under an indispensable Obligation to reject this Bill as it came back, on Account of its containing Acknowledgments from them, which they could not make, without totally giving up this most essential, salutary, and constitutional Right. The Reader will observe, that under this Head the Cause appears to the Writer of these Remarks so full of Argument as to carry him far beyond what is necessary, or could be justly required of him on such an Occasion: It has always been allowed an incontestible Maxim that no Man can be obliged to prove a Negative, and therefore, as the House of Commons, in the Session 1749, had not only claimed, but proceeded, as having been in long and quiet Possession of an *undoubted Right* to bring in Heads of a Bill for the Application of Money, remaining in the Treasury at the Time of their Meeting, and that this Bill passed into a Law without the least apparent Opposition from any of the other Branches of the Legislature of this Kingdom; this Right and Possession ought, in all Reason, to be now taken for granted till the contrary is proved; especially when this Right is supported by the strongest Presumptions, that it must have been constitutional, otherwise this Country could hardly be said to have any legal Constitution at all; most certainly none that contained any
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valid Security for the permanent Enjoyment of their Property and Liberties: Waving however at present the Benefit of this well-known Maxim, what is now undertaken to be shewn, is, ' That there are to be found such Facts and Circumstances in the Records of this Country, Records to which every Man may have an easy Resort, and are in many Persons Hands, as are sufficient to support the several Articles mentioned above; ' and in order to save the Reader all the Trouble of Recollection which the Nature of the Thing will permit, it may not be amiss to repeat, in a few Words, the Heads of those Articles which these Facts and Circumstances are brought to support.

First, That the House of Commons have, *in themselves, a truly constitutional Right* to propose and recommend to his Majesty such Applications of whatever Money they, on their Meeting, find redundant in the Treasury, as they shall judge most conducive to the Ease of the People, and for public Service; and, *Secondly*, That to make any parliamentary Acknowledgement of its being only in consequence of having had previous Leave, that they thus presume to propose any such Applications; would be a direct Renunciation of this constitutional and most salutary Right. *Thirdly*, That the Use they, in the present Instance, made of this Right, is, in every Circumstance, most perfectly consistent with his Majesty's full Enjoyment, not only of his parliamentary Right to refuse the royal Assent, but likewise of his constitutional Right, of which he is at present possessed in regard to this Country, of going on, after he has refused this Assent, to make such Applications of this Money as he shall judge most conducive to the Ease of the People and for public Service.

Lastly,

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Lastly, That this Right is however qualified with this essential Limitation, that his Majesty's Servants must be answerable to Parliament for all such Applications; and, in general, for all Applications of public Money raised off the Subject, and brought into the Treasury by Authority of Parliament, solely to be applied to the Uses of the above-mentioned constitutional Trust, namely, for the *Ease of his Majesty's Subjects, and for the public Service of this Kingdom.*

In proving these Articles, it will be necessary to take up the Matter much earlier than the Year 1749, where our Author thought fit to begin; for tho' it may possibly be true that this was the first Time that a Bill had been brought in for applying a redundant Sum of Money, lying dead in the Treasury, in discharge of the national Debt, yet it will by no Means follow from thence, that this was likewise the first Time that any Traces can be found in the Acts and Journals of Parliament, of the House of Commons exercising a Right of proposing and recommending to the Crown, without any previous Leave, Applications of Money antecedently vested in the Crown under the general Trust of public Services: Though far from imagining that Traces of this Nature cannot be found a great deal farther back, on the contrary fully satisfied that they must have had their Origin very soon after the Money of the People began to be given by Parliament to the Crown, for the Uses of Government; yet it will be needless to carry the Search higher than the Reign of *Charles* the Second: And, indeed, if Evidence of the Exercise of such a parliamentary Right can be found under that Prince, it may reasonably be taken for granted that the Right must have appeared so evident and essential as no Man would venture to dispute even

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at a Time when all Orders seemed much readier to exalt Prerogative than to assert their own Rights; this was in Truth so extravagantly the Case, as almost to have deprived this Country even of the Chance of any future Traces of a legal Government in all Time to come: Under all these Disadvantages, in regard to a faithful Attention to constitutional Rights, we yet find the House of Commons, in the Year 1662, first appointing a Committee to prepare a Bill for the Repeal of such Clauses in the Bill for establishing an additional Revenue upon his Majesty, his Heirs and Successors, &c. as impair his Majesty's Revenue thereby intended to be granted, and next directing this Committee to consider and prepare a Clause to be inserted in the said Bill for giving Satisfaction unto Sir Henry Tichborn, Knight, in Lieu of a Wardship granted unto him by his Majesty, in such Way and Manner as they shall think fit. Here we would seem to have as direct Evidence as could well be wished for, that the House of Commons thought themselves at Liberty, and possessed of a Right to point out to his Majesty an Application of Money antecedently granted to his Majesty, yes, and granted to him, and his Heirs and Successors, in perpetuity; for it is to be observed that the Bill for establishing an additional Revenue, &c. had been before passed, by them, and became a Law that Session of Parliament; the Journals make no farther Mention of this Bill in the Course of this Session; but we find in the Session, 1665, a Bill brought into the House, intitled, *an additional Act for the better ordering and collecting of the Revenue arising by Hearth-money, which repealed several Clauses in the Act above-mentioned, and that Session passed into a Law, in which last Act we find an express Clause in regard*

to

to Sir Henry Tichborn, where, after making mention of his Sufferings and Services during the Rebellion of 1641, we have these Words, 'Which Services, as they were performed at the Hazard of his Life, so it is agreeable to Honour and Justice that an extraordinary Mark of Favour be placed upon him, both to deliver over to Posterity the gracious Sense which his Majesty hath of his Sufferings and Services, and the grateful Memory which this Kingdom retains thereof.' Then, after taking Notice that he had likewise been deprived of the Benefit of a Wardship, it enacts, 'That in Satisfaction of his Services and Losses, he shall receive Two Thousand Pounds out of such of the Moneys as are or shall be payable or levied out of the Hearths, &c.' Is there not, in this Act, an *appropriating* Clause, strictly so called, in every Sense of the Word? Is there the least Trace of any parliamentary Acknowledgment of his Majesty's previous Consent? And is not this an Appropriation of Money granted to his Majesty, &c. in Perpetuity, three Years before? Granted, in such absolute Terms, as apparently to exclude all Intermeddling, had it not been a Doctrine too gross and absurd even for those Days of riotous and intoxicated Zeal for Prerogative, *That any Thing could preclude a Parliament from offering their Advice, in regard to the Application of Money granted by themselves for the Uses of Government?* But though it was an Imagination too grossly disgraceful to Parliament, and too openly destructive of all Liberty, to have entered into the Thoughts of the Ministry of this Prince, 'That the Parliament, his Majesty's supreme Council, had not, as often as they met, an unquestionable Right to offer their Advice to his Majesty in regard to the Application of Money which, in Virtue of their

' their Authority, had been levied off the Com-
' munity; yet, as these Advices might come
to be troublesome, and this improvident House
of Commons, by granting in Perpetuity such
abundant Supplies, had rendered themselves no
longer necessary, it is no great Wonder that we
have no farther History of the Proceedings of
Parliament, during the last eighteen Years of
that Prince's Reign; a Discontinuance, which,
for ought that can be affirmed with Certainty to
the contrary, might have lasted till now, had not
the increasing Exigencies of Government, and
the decreasing Value of Money, brought Parli-
aments again into Request.

But let this have been as it would, it must here
be acknowledged to be plainly demonstrated,
that the House of Commons we have been here
speaking of, did, in the very strongest Manner,
' exercise their Right of advising the King in re-
' gard to the Application of Money already given
' to him, without having received any previous
' Leave from his Majesty; and far from the least
' Appearance of their judging a parliamentary
' Acknowledgment of any such Leave or previous
' Consent being requisite: And now shall it ever
be said, that greater Privileges were readily ad-
mitted to be the *Right* of the Parliament of *Ire-*
land under the Domination of *Charles* the Second,
than they are now to have Liberty to exercise,
under the righteous and auspicious Reign of his
present Majesty? GOD FORBID!

*The Fourth and Last Number, containing some farther
Instances of the Sense and Practice of the House of Com-
mons in regard to this grand Article under the succeeding
Reigns in which any constitutional Parliament was held;
and concluding with a few general Observations on our
Author's Argument, shall be publish'd next Week.*

ERRATUM in Part of the Impression of NUMBER II.
PAGE 4. Line 24. for Acknowledgment made by Parlia-
ment, read Acknowledgment ought to be made by Par-
liament.

R E M A R K S

O N A

P A M P H L E T

I N T I T L E D,

C O N S I D E R A T I O N S

On the Late

B I L L

For Paying the

National DEBT, &c.

*He that is first in his own Cause seemeth just; but
his Neighbour cometh and searcheth him out.*

N U M B E R III.

D U B L I N :

Printed in the Year MDCCLIV.

REMARKS

ON A

PAMPHLET, &c.

L. L. L. B.

THE MEASURES TAKEN BY KING CHARLES THE SECOND'S PARLIAMENT, FROM 1662 TO 1666, IN GRANTING SUCH AMPLE FUNDS IN PERPETUITY, HAVING RENDERED FUTURE PARLIAMENTS USELESS, AND NO CONSTITUTIONAL PARLIAMENT BEING HELD UNDER KING JAMES; WHAT NEXT COMES IN ORDER, IS, TO TRACE DOWN THE RIGHTS CLAIMED BY THE HOUSE OF COMMONS IN REGARD TO PUBLIC MONEY DURING THE REIGN OF KING WILLIAM.

THE FIRST SESSION OF PARLIAMENT IN THIS KINGDOM, AFTER THE REVOLUTION, WAS HELD UNDER LORD SIDNEY IN THE YEAR 1692, AND AS OUR AUTHOR ATTEMPTS TO BUILD A VERY EXTRAORDINARY DOCTRINE ON A SINGLE SHORT PASSAGE IN THE JOURNALS OF THAT SESSION, IT MAY NOT BE AMISS, IN THIS PLACE, TO SPEND A FEW MINUTES IN EXAMINING INTO THE TRUTH, AND SOME OTHER CIRCUMSTANCES, OF HIS REPRESENTATION OF THIS PASSAGE; FOR AS TO THE DOCTRINE ITSELF, PERHAPS THE MOST FATAL IN ITS CONSEQUENCES TO PARLIAMENTARY RIGHTS AND LIBERTIES OF ANY THAT HAS BEEN BROACHED SINCE THE MOST TYRANNICAL PART OF THE REIGN OF KING CHARLES THE FIRST, THIS WILL FALL MORE PROPERLY UNDER CONSIDERATION WHEN

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some

REMARKS

ON A

PAMPHLET, &c.

THE Measures taken by King *Charles* the Second's Parliament, from 1662 to 1666, in granting such ample Funds in Perpetuity, having rendered future Parliaments useless, and no constitutional Parliament being held under King *James*; what next comes in Order, is, to trace down the Rights claimed by the House of Commons in regard to public Money during the Reign of King *William*.

The first Session of Parliament in this Kingdom, after the Revolution, was held under Lord *Sidney* in the Year 1692, and as our Author attempts to build a very extraordinary Doctrine on a single short Passage in the Journals of that Session, it may not be amiss, in this Place, to spend a few Minutes in examining into the TRUTH, and some other Circumstances, of his Representation of this Passage; for as to the Doctrine itself, perhaps the most fatal in its Consequences to parliamentary Rights and Liberties of any that has been broached since the most tyrannical Part of the Reign of King *Charles* the First, this will fall more properly under Consideration when

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some few of the grosser Errors in this Author's Reasoning, shall, agreeably to the Plan laid down in the Beginning of these Remarks, come in course to be expos'd: The Manner and Occasion of his Representation of this Passage you will find in his own Words, (p. 40.) where he tells his Reader, ' The *principal Objection* against the King's Claim of *previous Consent* is this, ' That the Produce of these several Funds is accounted for to Parliament; and from thence it has been inferred, that it is *public Money*, subject to parliamentary *Application*, without other *Consent*, than what is given by the Royal Assent to the Bill when passed into a Law. This seems founded on a Mistake, as to the Reason and Manner of laying the public Accounts before the House of Commons, as will appear from a short History of this Usage, and an Account of the Effects of it.

' No Account of the Disposition of the King's Revenue in this Kingdom was laid before Parliament till the Year One Thousand six Hundred and Ninety-two, when the Crown wanted further Supplies. Then indeed, a Motion was made, that such Accounts might be brought in: But the Reason of the Motion appears on the Journal, *viz.* " That it might be the better known what Supplies were necessary to be given to their Majesties," ' so that they were not called for as a RIGHT, but desired as a DIRECTION for their Discretion in the Grants they were making: And *for the same Reason*, they have been, every Session since, brought into Parliament: So that, in Truth, were not Supplies demanded, such Accounts would not have been tendered: And the going through the Accounts, is only to enable the House to judge, what may be the Measure for the Supply; not to APPROPRIATE the Ballance, if any there

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' there should be; for that remains as Money already vested in the Crown, for public Services: And I do not know of any Instance, where such Ballance has ever been APPROPRIATED by Parliament, without the previous Consent of the Crown.'

The only Use intended to be made, at present, of this long Quotation is to observe, that unless the Author can support the Fact herein laid down, namely, that the Parliament in 1692, and all other subsequent Parliaments, in applying for the public Accounts to be laid before them, far from intending to CALL FOR such Accounts as THEIR RIGHT, meant only to *desire* them as a *Direction*; it would seem to be acknowledged by himself that the Cause he had been contending for must be given up: Now, if, instead of the Author's being able to support this Fact, the true Fact should, on the contrary, turn out, that the Accounts are, in reality, called for, as the Parliament's RIGHT, and not merely desired as a *Direction* for their Discretion, and that their calling for them in this Light is a sufficient Proof, that ' the Produce of these Funds ' is ACCOUNTED FOR to Parliament,' which latter the Author seems readily to admit; then must he of Necessity confess, that this principal Objection to his Doctrine remains still in its original Force; and the Inference, that therefore ' this Produce ' is *public Money*, subject to parliamentary Application, without other *Consent* than what is given by the royal Assent to the Bill, when passed into a Law,' must likewise be confessed by him a legitimate Inference; to the total Overthrow of all that he has been pleading for, in Support of his Clients.

The only Proof he adduces in Support of his Assertion, ' that the Accounts are not ' called for as a parliamentary Right,' is the short Article in the Journal of 1692, just now quoted,

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quoted, *viz.* that the Reason assigned for the Motion for the Accounts was, " That it might be the better known what Supplies were necessary to be given to their Majesties;" and will any Man, who knows the very first Principles of Reasoning, admit, that so equivocal a Circumstance as this, in a Matter of such extensive Consequence to the Rights of the Nation, ought to be taken as a sufficient Warrant for the Author, first to assume, " That the Parliament in 1692, " and all subsequent Parliaments, were sensible " that they had no parliamentary Right to call " for the public Accounts;" and then, to draw this most destructive Conclusion, " That the public " Money, once it is vested in the Crown for " public Services, is no longer to be accounted " for to Parliament;" might not the Parliament, though ever so sensible of its being their Right to call for the public Accounts, yet give a Reason for their calling for them; and can it possibly be thought to follow, that because they gave the Reason mentioned above for their calling for them at that Time, therefore they, and all subsequent Parliaments, meant to confine themselves solely to that Reason, and never to call for them for any other? On the contrary, do not we find, in this very Parliament, a Committee appointed to inquire how the Committee of *Grievances* might come by Papers and Records in the Hands of the Commissioners of the Revenue, and other their Majesties Officers; and afterwards, on having searched for Precedents, reporting in the following Manner: " And from the said Precedents, " we are humbly of Opinion, that the Committee " of Grievances may come at Records, *Accompts,* " and Papers, in the Hands of *any of their Majesties Officers of the Revenue, or others,* by the " ORDERS of the said Committee, sent to the " respective

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" respective Persons in whose Custody the same " remain." Here then we have an Instance of the House of Commons thinking themselves qualified in their own Right to call for public Accounts, for a very different Reason from what the House gives immediately after, for *ordering* the State of the Revenue of the Nation, and the Establishment, both civil and military, to be brought the next Day into the House, namely, the Reason just above-mentioned in the Author's Quotation; and it is too material to be here overlooked, " that in Consequence of the Application of this " Committee of Grievances, a select Committee " was appointed by the House to state the Accounts from the Papers brought in by the Commissioners of the Revenue, and to *prepare a Charge* against any Person or Persons they should see occasion to charge, as to any *forfeited Lands, Goods or Chattles embezzled or converted to private Use, &c.*" When the House of Commons thought themselves at Liberty in their own Right, and not in Virtue of any Consent or Direction, to inquire into the Application of *Forfeitures*, a Fund which they had not created, can there remain any Possibility of Doubt, that they must look upon themselves as most unquestionably possessed of the Right of inquiring into the Application of all Money *granted by themselves*, for the Uses of Government in this Kingdom? and when we find them exercising a *Right of calling for Accounts* in relation to Forfeitures, surely, no one can dispute but that their immediately afterwards ordering the State of the Revenue to be brought in, was, likewise, exercising a Power in *Virtue of their own Right*, though they thought fit to mention the Purpose for which this State of the Revenue was then called for.

But though more than enough may have been said in Proof of the House of Commons at this Time

Time looking on it as their inherent Right to call for the public Accounts, yet would it be inexcusable to pass over this short Session without taking Notice of a very remarkable Incident that happened in the Course of it : It had been, without all Doubt, a Practice in former Reigns to send over, from *England*, Bills ready drawn, some of them Money-Bills, to be passed into Laws by the two Houses of Parliament of this Kingdom; and in Pursuance of this Practice, two Money-Bills of this Sort were by Order of the Lord Lieutenant presented to this House; soon after which we find the House of Commons came to the following Resolutions :

Resolved, That it was, and is, the undoubted Right of the House of Commons of *Ireland*, in Parliament assembled, to prepare and resolve the Ways and Means of raising Money.

Resolved, That it was, and is, the sole and undoubted Right of the Commons, to prepare Heads of Bills for raising Money.

Resolved, That notwithstanding the aforesaid Rights of the Commons, this House doth think fit, upon Consideration of the present Exigencies of Affairs, and the public Necessity of speedily raising a Supply for their Majesties, to order a Bill transmitted out of *England*, intituled, an Act for an additional Duty of Excise upon Beer, Ale, and other Liquors, be now read :

Resolved, *Nemine Contradicente*, That the receiving or reading of the said Bill, so transmitted as aforesaid, be not drawn into Precedent hereafter.

The next Day, a Motion being made that the other Bill, intituled, an Act for granting to their Majesties certain Duties for one Year, might be read, it passed in the Negative.

Resolved,

Resolved, That the said Bill be rejected by this House.

Resolved, That it be entered in the Journal of this House, that the Reason why the said Bill was rejected, is, that the same had not its Rise in this House.

In a few Days after, we find the Lord Lieutenant putting an End to the Session; and just before the Prorogation, in an Article of his Speech, expressing himself to the following Effect :

I am troubled that you Gentlemen of the House of Commons should so far mistake yourselves as to intrench on their Majesties Prerogative, and the Rights of the Crown of England, as you did on the 27th of October last, when, by a declaratory Vote, you affirmed, That it is the sole and undoubted Right of the Commons of Ireland to prepare Heads of Bills for raising Money; and also again, on the twenty-eighth of the same Month, when you rejected a Bill sent over in the usual Form, intituled an Act for granting to their Majesties certain Duties for one Year, you voted, That it should be entered in your Journals, that the Reason why the said Bill was rejected, was, that the same had not its Rise in your House.

These Votes of yours being contrary to the Statutes of the Tenth of Henry the Seventh, and the Third and Fourth of Philip and Mary, and the continued Practice ever since; I find myself obliged to assert their Majesties Prerogative and the Rights of the Crown of England, in these Particulars, in such a Manner as may be most public and permanent; and therefore I do here, in full Parliament, make my Protest against those Votes, and the Entry of them in the Journal of the House of Commons: Which Protest I require the Clerk of this House to read, and afterwards to enter it in the Journals of this House, that it may remain as a Vindication of their Majesties

B Prerogative,

Prerogative, and the Right of the Crown of England in these Particulars, to future Ages.

Here let it be observed, that though the Lord Lieutenant appears to be not a little in bad Humour, yet no Part of his Resentment is occasioned by the House of Commons having called for the public Accounts, in the Manner it has just now been shewn they did, nor occasioned by their inquiring, in Virtue of their own Right, into the Manner of their Majesties Officers applying of Forfeitures: The Doctrine, 'That the King is possessed of Powers and Prerogatives over the Properties of the People, for the Exercise of which he is accountable only to God,' and the Practice consequent upon it, being amongst the worst of the Evils from which we were delivered by King *William*, of ever glorious Memory; it was not in Nature, that so recently, under a Revolution Government, this most poisonous Doctrine should be attempted to be revived; it is plain, that the sole apparent Cause of his Displeasure was, not even the rejecting of the Bill, but the *Reason* that had been given for rejecting it, "Because the same had not its Rise in their House;" this he asserts to be such a Violation of their Majesty's Prerogative, and the Right of the Crown of *England*, that he finds himself obliged to enter his *Protest*; at the same Time, founding this Right of the Crown solely on the Statutes of *Henry* the Seventh, and of *Philip* and *Mary*, when this Country bore no other Resemblance to what it is now, than an helpless Infant bears to a well-grown Man; but be this as it will, no Part of the present Debate can be in the least affected by the Doctrine of this Speech; the *contrary* being universally, at this Day, acknowledged to be an essential Article in our constitutional parliamentary Rights; nay, even

even our *Author* admits 'That the Right of granting Money is in the Commons:' From the Whole we may learn, that it is no impossible Thing for a Chief Governor of this Country to wax wroth, and to charge, and represent the faithful, and thoroughly well-affected Commons of *Ireland* as guilty of a violent Invasion of the Prerogative of the best of Kings, when, all the while, those zealously loyal Subjects were doing no more than what, our *Author* himself being Judge, they might reasonably think themselves necessarily obliged to do, in Vindication of their own Rights, and the essential Rights of their Country. This Parliament never after got Leave to meet, but, after two or three Prorogations, were, some time before *September*, 1693, in the Issue dissolved.

A new Parliament was called in the Year 1695, in which the Practice was continued of sending a Money-Bill from *England*; which was received, and passed by the House, without any Objection appearing in their Journals: But will any Man, at this Time of Day, alledge, that 'that is a Precedent of the greatest Weight, to prove a parliamentary Acknowledgment of this Practice being no more than an Affirmance of his Majesty's Prerogative and Right of the Crown *?' Had not a very large Number of the Parliament of 1695 been likewise Members of the Parliament of 1692, and do not we see above, that it was unanimously resolved, that even the receiving and reading of a Money-Bill, brought into the House according to this Practice, should not be brought into Precedent hereafter? And should this Practice have continued ever so long, what could it have proved? It might, indeed, possibly prove, that, in some Instances, Right had been overborn by Power,

* See CONSIDERATIONS, &c. Page 12.

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Power, and that in others, an incautious or over-cautious House of Commons had, from Considerations of Prudence, been induced to wave the Claiming, or Exertion, of this Right; nay, it might possibly have proved, that a Majority of a House of Commons might have been so wretchedly corrupted and seduced, as basely to give up what they knew to be the undoubted and essential Right of their own Body, and from the nature of the thing, necessarily inherent at all Times in the Representatives of the People; one or other, or all of these at different Times, such a Practice might possibly have proved; but surely it is *impossible* it ever should prove, that the *real Right* of granting Money is not in the Commons; this Right had been, in the strongest Terms, asserted by the House of Commons, a few Years before, and is now universally acknowledged to be their undoubted, inherent, and constitutional Right.

This however demonstrably shews, that in determining Questions concerning constitutional Rights, Resort must of Necessity be had to much more invariable Principles than Practice and Precedents: God and Nature have conferred certain inherent Rights on Men; Reason and Sense, for the more effectual Conservation of these Rights, and for this Purpose principally, have conferred certain delegated Rights on the various Orders or Powers of civil Government; whatever Claims of Rights therefore, in any of those Orders, shall be found essential for this original and unchangeable Purpose, must of Necessity be allowed strictly constitutional, whether Practice and Precedent have been for, or against them; And for the same Reason, whatever Precedents or Practices shall be found destructive or injurious to those essential Rights, let them be ever so ancient, or of long Continuance, they must of course be acknowledged anticonstitutional, and therefore

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therefore to be abrogated as soon as the Nature and Circumstances of the Case, according to the Judgment of Reason and Sense, will permit: It is true, that the present Article of Inquiry doth not stand in immediate need of the Aid of this Observation, as it fortunately happens, that Practice and Precedent are on the same Side with Right; but there may be great Propriety in keeping it in the Reader's Mind notwithstanding, as neither the Nature nor the Importance of the Question now under Debate can possibly be understood without it.

But though this Parliament waved the claiming of a Right, to which, it is now universally acknowledged, they had an unquestionable constitutional Title; yet we shall find them, in very express Terms, *exercising* that Right, which our Author would have us believe neither the former or any subsequent Parliament had ever *claimed*, namely, the Right of calling for the public Accounts, and calling for them for a quite different Purpose, than only to 'judge what might *be the Measure for the Supply.*' There are many Passages in the Journal of that Parliament, which are direct to this Purpose; but it will be sufficient, for the Satisfaction of the Reader, to point out the few following, in the second Volume of the printed Journals; where he will find the House, *p. 655.* applying for a distinct yearly Account of all Receipts and Payments of his Majesty's Revenue, from 1689 to 1695, to be laid before the House, and likewise of all Arrears standing out; which was accordingly laid before them. Surely this could not be for a *Direction of their Discretion in the Grants they were making.* *P. 657.* The Accounts of his Majesty's *certain and casual* Revenue were likewise laid before them, from 1689 to 1695. *P. 660.* They grant a Supply to his Majesty, not exceeding 163,325*l.* And afterwards,

wards, order a Committee to examine the several public Accounts, which had been laid before them by the several Officers of the Revenue. As this was done posterior to their granting the Supply, most evident it is, that the Design of it must be something very different from a Direction what Quantity to grant. And in *p.* 666, we find Papers called for relating to the *Miscarriages* of the Revenue, *P.* 680. The Committee, appointed to examine the public Accounts, make a long Report, after having perused those several Papers, in which the Reader will find, that notwithstanding that the King's Letter had been produced, authorizing the Commissioners of the Revenue to dispose of the Product of his Majesty's Revenue, in a certain Manner; and notwithstanding this related wholly to his Majesty's hereditary Revenue; and notwithstanding, likewise, that this Manner had been laid before the Commissioners of Accounts in *England*, and approved of by them; yet we find here the Committee censuring this Manner, as an Inlet to Fraud and Deceit in the Accounts of his Majesty's Revenue, and censuring, likewise, the Pay-master-General, for his Manner of accounting, though it had been warranted by the Commissioners of Accompts in *England*, and Vouchers sent over by him thither pursuant to their Warrant; and the Reason they give, is, that Vouchers should appear here for the several Payments made in this Kingdom; And to mention no more from this Parliament, the last in *K. William's* Reign. (*P.* 847.) We find the Committee desiring, that the House might order, that a Particular of the Debt due by his Majesty, and the particular Years and Times when it became due, and also an Account of the *Forfeitures*, and the Receiver-General's Receipts and Payments since *January* 1691, might be laid before the House; which the House ordered

ordered accordingly. Thus far it would seem very evident that the House of Commons, throughout *King William's* Reign, had no Kind of Doubt of their *Right*, not only to call for Accounts of Money given by themselves, but Accounts likewise of the *hereditary* Revenue, and also of the *casual*, such as Forfeitures, &c. in direct Contradiction to the Doctrine of our Author. It can hardly be necessary to observe, that the chief Governor, in this Reign, gave the strongest Assurances from the Throne, 'that whatever Monies the House of Commons gave, should be applied to the Uses for which they were given; and that, in all these Things, the King expected nothing from them, but what was necessary for their own Establishment and Safety.'

In the Reign of *Queen Anne*, we have not only numerous and unquestionable Instances of the House of Commons calling for the public Accounts, in their own Right, but likewise, most evident Proof of the hereditary Revenue being considered as public Money, to be accounted for to Parliament; and, in one or two Instances, *redundant Money* remaining in the Treasury, after the Purposes of Government for the preceding Years had been answered, applied to the Credit of the Nation, and afterwards accounted for to Parliament; which last, will not only be an unanswerable Refutation of every material Article alledged by our Author, but an Instance, bearing a very strong Resemblance of the principal Subject at present in Debate, namely, that the House of Commons considers it as their constitutional Right, to apply any redundant Money which they shall happen to find in the Treasury, to the Credit and future Exigencies of the Nation, without any Imagination of a previous Leave from the Crown, in any Sense, being necessary. Of the numerous

numerous Instances in regard to the first Article, it will be needless, after what has already been pointed out under the former Reign, to mention more than the few following. *Printed Journals*, Vol. III. p. 25.

‘ *Ordered*, an Account of the additional Funds, of the Produce or Value of the present Branches of the Revenue, and the present Establishment, and all former Establishments, since 1692, to be laid before the House by the proper Officers? Can there be a more direct Evidence of the Commons calling for the public Accounts in their own Right? (P. 54.) We find the House came to the two following remarkable Resolutions; first, Resolved, ‘ that the *Funds granted by Parliament*, and *the Revenue of the Kingdom*, were sufficient to support the Government, and discharge the public Debts to and for *Michaelmas*, 1703.’ Here it is carefully to be remarked, that the Funds granted by Parliament, which are now generally known by the Name of the additional Duties, and which were granted by the last Parliament of K. *William*, had all of them expired before *Michaelmas* 1703; consequently, that there must have been, according to their Manner of stating the public Accounts, a Redundance of Money in the Treasury, at the Time they expired; and that this Redundance, together with the growing Produce of *the Revenue of the Kingdom*, (consisting so materially of the hereditary Duties, that the whole is now generally expressed by that Phrase) was all of it Money which ought, in Justice, to be applied to the *Support of Government*, and *the Discharge of the public Debts*: And that they insisted, as far as in them lay, on its being all of it public Money, and subject to no other Application, is evident, from their second Resolution, in these Words, ‘ Resolved, that the Supply to be granted to her Majesty, be a Sum sufficient, to make up the Deficiency of the Revenue

‘ Revenue to support the necessary Branches of the Establishment for two Years ending at *Michaelmas* 1705.’ Here we see, that whatever the State of the Accounts, given in by the Officers of the Crown, might represent to the contrary, the House of Commons insisted that there *had*, or *soon must*, so much Money come into the Treasury, from the Funds formerly granted by Parliament, and from the standing Revenue of the Kingdom, as fully to answer all the Exigencies of Government, and the Discharge of the public Debts, down to *Michaelmas* 1703; and that no other Provision should be made *by them* for these Purposes: Doth not this look very like the claiming and actually exercising a Power over all Money brought into the Treasury, whether from the hereditary Duties, or the temporary Funds? We see it here likewise insisted on, in as strong Terms as Words can express, that all the standing Revenue of the Kingdom *must* be applied in Support of the necessary Branches of the Establishment; and that the temporary parliamentary Supplies are only to come in Aid, and to make up the Deficiency of this established Revenue. The House afterwards proceed to return Thanks to their Committee, for saving to the Nation, by their Care in stating the Accounts, the Sum of 103,388 l. 8 s. 4 d. which, by Misrepresentation, was charged as a Debt on the Nation; and in some Time after, on finding that the then Auditor-General had been the Author of that Misrepresentation, they did not indeed expel him, for this was carried in the Negative, but they resolved, that he was unfit for any public Employment in this Kingdom, and that he should be committed to the Constable of the Castle, during the Pleasure of the House, for such Misrepresentation.

The Supply granted for the two Years to come, by this Session, was the Sum of 150,000*l.* and, on the Opening of the next Session, we do not find, in the Speech from the Throne, that there was any Disgust conceived against the Conduct of the House of Commons, in the Session preceding, as having invaded the Queen's Prerogative, in meddling with her hereditary Revenue without her previous Consent; very much otherwise: The utmost which at that Time the Court seemed to think themselves intitled, not so properly to claim, as to point out, as reasonable Measures to the Commons, in stating the public Accounts, were, 'That the Arrears, not any Money in the actual Receipt of the Treasury, but the Arrears still standing out, uncollected, of the preceding Year, must always be applied to make good the Payments of the present Year; and that in a Time of War and Danger, there is a Necessity of having Money in the Treasury, to answer sudden Emergencies: And it is remarkable that, notwithstanding what had been said from the Throne, the Supply granted that Session for the two succeeding Years, was no more than what had been granted the Session before.

In the next Session, held in the Year 1707, we find the Committee of Accounts moving the House, that a proper Officer be appointed, who may stand obliged to ballance the Accounts of the Nation, and lay them before the House in a just and proper Method: Could our Author have known any Thing of this, and yet allow himself to say, that Accounts were not called for, as a Right, but desired as a Direction, &c. and that for the same Reason, they have, every Session since, been brought into Parliament? If he did not know how so material a Fact stood, how came he to rest his Answer to what he

he calls the principal Objection, solely upon an Assertion, without making any Inquiry whether it was true or false? If he did know, can that be thought an honest Cause, which requires such Arts to support it? But be it as it will, in respect to the Advocate, most certain it is, that several of his Clients, who have been zealous in propagating this Production, could not but know that this grand Article, on which so much depends, was utterly false. The Supply granted in this Session was for one Year and three Quarters, ending the 24th of June, 1709, and the Sum 135,000*l.*

In the next Session, held in May, 1709, Lord Wharton, in his Speech from the Throne, acquaints the House of Commons, 'that in order to their having no Cause to doubt or to complain in any Particular, her Majesty had commanded him to direct the proper Officers, that a perfect State be laid before them of the Revenue, and of all Accounts relating to the Public, which he had Reason to hope and believe would be done in such a Manner, as should be to every Gentleman's Satisfaction: And afterwards, in the same Speech, assuring them, that whatever Money should be paid by them, would be laid out among themselves, and employed wholly for their own Service, and for their own Security.'

In this Session, we find, on stating the national Accounts, a Report from the Committee, in these Words, 'So that upon the Whole, (a Quarter of a Year's Quit Rent being included) there will remain, in Credit to the Nation, mark the Words, it is not said 'to the Crown,' but, 'in Credit to the Nation, at Midsummer 1709, over and above all Charges, the Sum of 71,019*l.* 1*s.* 5*d.* $\frac{1}{4}$.' which Report was referred by the House to the Committee of Supply:
And

And next Session held in 1710, the Committee of Accounts report to the House, ' that the Balance due to the NATION at Midsummer 1709, ' amounting to 71,019*l.* 1*s.* 5*d.* $\frac{1}{4}$. has been ' duely credited to the Public.' Is not this a direct Proof, that Redundancies were understood by the Administration, as well as the House of Commons, to be alike subjected to Account, with the current Supplies? Doth not this still farther appear, from the State of the Accounts in that Session, on which the Committee reported, that a Balance would remain at Midsummer, *due to the Nation*, of 11,547*l.* 7*s.* 11*d.* $\frac{1}{4}$. which Sum, in the succeeding Session 1711, is reported to have been duely credited to the Public, and that on stating the Accounts, there remained at Midsummer 1711, in Credit to the NATION, a Balance of 6433*l.* 17*s.* 7*d.* $\frac{3}{4}$. which Sum, together with the growing Revenue, and new Accounts, were carried forward to Christmas 1711; and the Charge of the Public happening so far to exceed its Credit, that they computed there would be then a Deficiency of 34,010*l.* 14*s.* 5*d.* $\frac{1}{4}$; doth it not clearly appear, that the above redundant Sum of 6433*l.* &c. was liquidated with the growing Revenue, and new Aids, and considered by the House of Commons as subjected to the same Appointment and Application with the usual Supplies? And is not that redundant Sum, by this Report, to which the House agreed, taken and applied towards discharging a Debt which they foresaw would be incurred by the Nation, at the Christmas following?

From these several Articles above recited, during the Reign of Queen Anne, doth it not most evidently appear,

First, That the House of Commons uniformly claimed, in their own Right, a Power to order the public Accounts to be laid before them; and that, not merely to enable them to judge what may

may be the Measure for the Supply, as our Author would have us believe, *p.* 42. but for various other Purposes, and particularly *to prevent the Officers of the Crown from defrauding the Nation*. Indeed, if the Author meant any thing that is fair and honest, by the Words he makes use of, namely, ' to enable them to judge what may be ' the Measure for the Supply,' a plain Man must imagine that he has himself well nigh *given up* the whole of his Cause; for if, on finding a Redundancy in the Treasury, the House ought to diminish the Supply, in Proportion, for the ensuing two Years, the Expenses of the Establishment continuing the same; what is this less, than admitting, to all Intents and Purposes, that the House has a constitutional Right to apply all this Redundancy to the Credit of the Nation, and for answering the ordinary Exigencies of Government, for the ensuing two Years? If this Author means, that it is only when the Treasury is empty, and the Funds have proved deficient, that the House of Commons should have any thing to do with the public Accounts; that is, that *their* Business is only to increase, and never to diminish the national Taxes, he is now to speak out, and not reserve this unpalatable Part of his Doctrine till a more seasonable Opportunity: An Opportunity, for Instance, when the Gentlemen of this Country shall come to be more thoroughly disciplined, and more *generally* reconciled to the wholesome Doctrine of ' ceasing ' to judge for themselves,' or pretend to distinguish betwixt *material* and *not material*, Right and Wrong, in the Transactions of Parliament.

These are Matters, much too arduous for *Irish* Understandings; and not only so, but Matters which they shall find, to their Cost, are not to be meddled with, without exposing themselves to much personal Evil; forewarned,

forewarned, as some of them may think themselves already to be, ' that every Gentleman of ' the House of Commons, who shall scruple to ' follow implicitly, wheresoever a chief Governor's Secretary, or any other Person in whom ' he happens to place his Confidence, shall think ' proper to lead; or shall refuse placidly to register, ' without further Examination, whatever Edicts ' this Person of Confidence shall bring into the ' House; must lay his Account to be treated as ' disaffected to his Majesty, and deserving all ' the Severity which the Plenitude of the chief ' Governor's Power, for supporting what he may ' esteem the Dignity of Government, enables ' him to use; qualified by nothing but his own ' personal Humanity.' But,

2dly, The uniform Practice of the House of Commons, in the Course of the Reign of *Q. Anne*, must abundantly shew, ' that all Money brought into ' the Treasury, was counted by them as the Money of the NATION; and all Money found in ' the Treasury, or standing out in solvent Arrears, at the Time of their Inquiry into the public Accounts, was considered as so much Money ' applicable by them, towards discharging any ' national Debt which might happen to be incurred, before the growing Supplies could be ' brought in, and at all times to be *applied to the ' Credit of the Nation.*' These Rights, it is undeniable, were *claimed*; these Rights, it is undeniable, were *exercised* by the Commons of *Ireland*, and never once called into Question by the Administration under the Queen: And lastly, these Rights must be sufficient to justify the whole of the late Procedure in the House of Commons, which is now the Subject in Debate, unless some Reason can be shewn why the House of Commons, under the present Royal Family, should

not

not enjoy the same Rights which they had done under the late Queen.

Sorrow and Confusion must be the unavoidable Portion of every honest Whig, if Prerogative should be found, in any Instance, under their singularly favourite Succession of the present royal Family, to be set up in Opposition to such Rights of the zealously loyal House of Commons of *Ireland*, as they were left in the full Enjoyment of, at the Demise of that Princess: But happily for all, in pursuing the present Method of Inquiry, it will evidently turn out, that not the least Symptom of this sort is to be found, till the Search is brought down to the Commencement of the present Administration in the Year 1751.

In the first Session of Parliament of King *George I.* his Majesty, in his Answer to the Address of the House of Commons, thanks the House for their Promise of Supplies, and gives them his Assurance, that they shall be employed for the Welfare of so faithful, and obedient a People; and in *p. 64.* of the Journals, Vol. 4th, the House *orders* Accounts to be laid before them, of the hereditary Revenue, as well as the additional Duties, ever since the Year 1698: And, in *p. 73.* the Committee takes Notice of Accounts, &c. having been laid before them, ' both by Direction of the House, ' and by the respective Officers, from whom the ' same was required; they next proceed to acquaint the House, ' that due Credit had been given to ' the Public, for the Sum which the Committee ' of 1711 had reported to be due to the Nation,' as mentioned above: In this Report they take Notice ' that the Accounts had been stated to ' their Satisfaction, by the Accountant-General, ' the Officer to that Service appointed upon former ' Orders of Parliament.' After this, there surely need be no more Proof that the House exercised

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the Power of calling for Accounts, &c. in their own Right.

The Committee of Supply, after having had the Report of the Committee of Accounts laid before them, came to the following Resolutions, that Credit ought to be given *to the Kingdom* for 7142*l.* 3*s.* being so much Money unissued of the Barrack Fund. Is not this Claim of Power over the Redundancy of a Fund set apart by his Majesty, a Circumstance peculiarly strong in Favour of the Right of the House of Commons over public Money remaining unapplied?

They next resolve, 'That 1610*l.* 11*s.* $\frac{1}{2}$. is the Sum due at *Michaelmas* 1715, to discharge the Debt of the Nation. *Thirdly* that a Supply be granted to his Majesty, for the Payment of said Debt, and towards the supporting of the necessary Branches of the Establishment for two Years, from *Michaelmas* 1715, to *Michaelmas* 1717; and *fourthly*, that by the Death and Promotion of several half-pay Officers on the Establishment, there will be a Sum sufficient to make up the Pay of the half-pay Officers *now* remaining on the said Establishment, full half-pay for themselves and Servants.' Is not this last likewise an Instance of the House claiming a Right to point out an Application of Money already granted by them?

In the last Place, they resolve that the Supply granted to his Majesty be a Sum not exceeding 187,587*l.* 12*s.* 4*d.* $\frac{1}{4}$. to all which Resolutions the House did agree: It may not be amiss just to remark, that though the short Money-Bill, granting his Majesty several Duties for six Months, was passed into a Law before the House had fixed on the above Sum for the Quantum of the Supply, yet they make no Difficulty of applying the Produce of those Duties towards making good the said Supply: Some Time farther on in this Session, the

the House, upon Notice given them, from the Government, of a threatened Invasion of this Kingdom, came to the following Resolution, which laid the Foundation of the Loan Debt; the Remainder of which, the late Bill, which gave Occasion to the present Debate, was meant to discharge; 'Resolved, *nemine contradicente*, that 'whatever Sums of Money shall be advanced 'and paid into the Treasury, by any Person or 'Persons, &c. for the Defence of the Kingdom, 'shall be made good by this House, with legal 'Interest for the same, *out of such Aids, as shall 'be granted to his Majesty the next Session of Parliament.*'

Here we have the Faith of the House of Commons solemnly pledged to the Public in Behalf of the Government, and pledged without any Limitation of Sum; with this further extraordinary Circumstance attending it, that this unbounded Vote of Credit was passed in the House, without one contradicting Voice: So true it is, that the Prince who rules in the Hearts of his faithful Commons and Subjects, may always be sure of their Purse, for supplying every Exigency of Government, to the Extremity of their Power! Must it not then be an evil Office, to attempt raising Jealousies respecting Prerogative, in the Breast of such a Prince, to the exquisite Distress, and, perhaps, irreparable Injury of such a People?

The Sum borrowed by the Government, in consequence of this Vote of the Commons, was 50,000*l.* and thus was laid the Foundation of the national Debt: And by tracing our parliamentary Proceedings, in regard to this Article, down to the present Time, the Reader will quickly be qualified to judge concerning the Merits of the Question now in Debate; a Question the most interesting of any that has arisen in this Country, at least since the latter End of

the Reign of Queen *Anne*, when it was made a Matter of Debate, whether this Country ought to concur in such ministerial Measures, as must necessarily have issued in bringing themselves under the Domination of a Popish Pretender; or gallantly to withstand them, by a vigorous Exertion of their constitutional Rights; animated by the Prospect of soon living free, and having their Property and Liberties effectually secured to them, in consequence of the Succession of the present royal Family; which may God, from Generation to Generation, preserve at the Head of a free *British* Empire!

In the next Session of Parliament, 1717, we find that the national Debt, including this 50,000 *l.* and the Interest, amounted, at *Michaelmas*, 1717, to 94,544 *l.* 13 *s.* 2 *d.* $\frac{3}{4}$. and a Supply, granted for the Payment of said Debt, and towards supporting the necessary Branches of the Establishment for two Years, ending *Michaelmas*, 1719, not exceeding 279,648 *l.* 11 *s.* 3 *d.* $\frac{3}{4}$. In 1719, the national Debt, including the Loan, amounted to 87,511 *l.* 4 *s.* 7 *d.* $\frac{1}{4}$. for Payment of which, and towards supporting the Establishment for two Years, ending *Michaelmas*, 1721, a Supply was granted, not exceeding 312,663 *l.* 18 *s.* 6 *d.* $\frac{1}{2}$. In 1721, the Accounts were carried on to *Christmas*, and then the national Debt, including the Loan, amounted to 77,261 *l.* 6 *s.* 7 *d.* $\frac{3}{8}$. and for Payment of said Debt, and supporting the Establishment for two Years, ending *Christmas*, 1723, a Supply was granted, not exceeding 331,880 *l.* 14 *s.* 8 *d.* $\frac{3}{8}$. In the several Acts of Parliament corresponding to these Resolutions, particular Care was taken to insert a Clause to secure the Payment of the 50,000 *l.* Loan, together with Interest for the same, during the Time it shall continue unpaid: In 1723, at *Christmas*, the whole Debt of the Nation

Nation was computed to 66,318 *l.* 8 *s.* 3 *d.* $\frac{1}{4}$. and for Payment of this Debt, and supporting the Establishment for two Years, ending *Christmas*, 1725, a Supply was granted, not exceeding 339,368 *l.* 6 *s.* 6 *d.* $\frac{1}{4}$. Hitherto we see, that the Intention of the House was, to make Provision for the Discharge of the *whole* Debt, as well as for answering the ordinary Exigencies of Government, in the Course of the ensuing two Years, for which the respective Supplies were granted; for it is to be observed, that, in the Session of 1715, the Supply granted for answering these Exigencies, &c. was only 187,587 *l.* 12 *s.* 4 *d.* $\frac{1}{4}$; and here, in the Session of 1723, no less than the above Sum of 339,368 *l.* 6 *s.* 6 *d.* $\frac{1}{4}$. was granted. But though the Supplies, through various Accidents, always fell so far short of answering this Intention, as to leave the 50,000 *l.* Loan still undischarged, yet from two Years, to two Years, they exceeded the current Expences of the Establishment; and this Surplus was always applied towards reducing the national Debt, which, at *Michaelmas*, 1717, exclusive of the Loan, amounted to 44,544 *l.* and in 1723, to no more than 16,318 *l.* so that an Application does plainly appear here to have been made for discharging the national Debt without any previous Leave from his Majesty.

The Money-Bill, in 1723, reduces the Interest of the 50,000 *l.* Loan from 8 to 7 *per Cent.* and in case the Creditors, or any of them, shall be unwilling to accept of such reduced Interest, it directs that they shall be paid their principal Money and Interest, on their assigning their Subscription to the Vice-Treasurer, or his Deputy: What can be an Evidence of the House of Commons claiming and exercising the Power of Application over the public Money, if this be not? Parliamentary Faith had been given, and

must be sacredly maintained; therefore Provision is hereby made, that none who trusted to it, and lent their Money, should run the smallest Hazard, or have the least Reason to complain: This Law likewise enacts, for the farther Security of the Creditors, that the Principal and Interest of this Loan, or whatever Part of it shall remain unpaid at the 25th of *December*, 1725, shall then be paid without any Deductions whatsoever.

The national Debt, in the Session 1725, is stated at 118,844 *l.* 5 *s.* 11 *d.* $\frac{1}{2}$; the Supply for the ensuing two Years is fixed at 292,181 *l.* 7 *s.* 3 *d.* from *Christmas*, 1725, to *Christmas*, 1727; the Clause of paying the Principal and Interest of the Loan, at the End of these two Years, is the same with what has just now been mentioned. In 1727, the first of his present Majesty, the present House of Commons stated the national Debt at 127,371 *l.* 15 *s.* 6 *d.* and granted a Supply of 398,011 *l.* 3 *s.* 6 *d.* $\frac{1}{2}$. and the Money-Bill of that Session continues all the Clauses of the Act of 1725, relating to the Loan. In 1729, the national Debt, on stating the Accounts, was found by the House of Commons to amount to 220,730 *l.* 15 *s.* 3 *d.* $\frac{1}{2}$; for the Payment of which, and for answering the growing Exigencies of Government to 1731, they voted a Supply of 510,238 *l.* 16 *s.* 10 *d.* and the same Session reduced the Interest of the Loan of the 50,000 *l.* to 6 *per Cent.* in the same Manner, and on the same Terms, with the former Reduction; and, likewise, directed that Debentures should be struck for 150,000 *l.* more, to be borrowed at the same Interest, and payable in the same Manner; thus the Loan was now increased to 200,000 *l.*

On stating the Accounts in the Session 1731, the House found the national Debt increased to

335,466 *l.*

335,466 *l.* 7 *s.* 4 *d.* $\frac{1}{2}$. and towards the Payment of this Debt, as well as towards supporting the Establishment for two Years, ending *December*, 1733, they grant a Supply of a Sum not exceeding 624,323 *l.* $\frac{1}{4}$.

Amongst the Accounts given in by the Officers of the Crown this Session, there is an Abstract of Receipts and Payments in the Treasury-Office, from *Lady-day*, 1729, to *Lady-day*, 1731, and this Abstract begins with a Ballance remaining in the Treasury at *Lady-day*, 1729. of 2,715 *l.* 1 *s.* 6 *d.* $\frac{1}{2}$. True, the Ballance, at this Time, is not very considerable; but this alters not the Case; it is as plain, as Facts can make it, that there was no Imagination in those Days, nor, indeed, at any Time before or since, till our Author, and his Clients, have taken very strange Things, and full of malignant Tendency, into their Head; no Imagination but that *all* Money brought into the Treasury, *ought* to be accounted for to Parliament; and accordingly, this Ballance is the first Article in that Abstract now mentioned, brought, by the Officer of the Crown, to the Credit of the Nation; to this is added the Produce of *all* the Branches of his Majesty's Revenue, hereditary, casual, and biennial Supplies; and to the total of these, are set in Opposition all the Payments made out of the Treasury, and from thence a Ballance is struck either to the Credit or Debit of the Nation; just as on totting up the several Articles of the two opposite Columns, the Matter shall happen to turn out.

In this Session, we find the national Debt increased to such a Sum, that the House of Commons, despairing of being able to raise Supplies within the two Years, such as would be sufficient to support the Establishment, and, at the same Time, discharge this Debt, direct Debentures to be struck for the Loan of another hundred thousand

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thousand Pounds, and, at the same Time, they reduce the Interest of the whole three hundred thousand Pounds to five *per Cent.* with the same Provisions in Favour of the Creditors, as were above-mentioned, when the former Reduction was made.

In the Session 1733, we find the Accounts carried on in the same Manner with that of the former Session; the Ballance in the Treasury being the first Article brought to the Credit of the Nation; we find likewise a Saving of 1,335 *l.* 1 *s.* 9 *d.* $\frac{1}{2}$. on the civil Establishment, occasioned by Vacancies on the Benches of the Exchequer and Common Pleas, and a farther Saving of 5,090 *l.* 4 *s.* $\frac{1}{2}$. claimed by the Committee to be applied to the Credit of the Nation; and, accordingly these two Sums were placed to Credit by the House, and the Debt of the Nation voted to be a Sum not exceeding 371,312 *l.* 12 *s.* 2 *d.* $\frac{1}{2}$. and to discharge this Debt, and answer the current Exigencies of the next two Years, they grant a Supply not exceeding 658,727 *l.* 4 *s.* 8 *d.* $\frac{1}{2}$. The Committee observe farther, that there is a Ballance of the Loan Duties, after paying the Interest, amounting to the Sum of 26,006 *l.* 9 *s.* 2 *d.* $\frac{3}{4}$. which being applied as *the Act directs*, these are their own Words, it will reduce the principal Loan of 300,000 *l.* to the Sum of 273,993 *l.* 10 *s.* 9 *d.* $\frac{1}{4}$.

It appears, from the Accounts in 1735, that 24,700 *l.* was applied to the Reduction of said principal Sum, and that a Ballance of 1,424 *l.* 17 *s.* 10 *d.* still remained in the Treasurer's Hands, to be applied to the same Purpose: Is there the least Trace of previous Leave for this Application? Possibly, some Folks may think to get rid of this Instance, by saying, that this Redundancy arose from impropriated Duties, and therefore, there could be no Occasion for his Majesty's previous Consent; but before they rely upon this

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as an Answer, they will do well to look back into the Origin of this Debt, and of the parliamentary Proceedings that were relative to, and consequent upon it.

When the House of Commons passed their Vote of Credit in 1715, did they not pledge their Faith, that whatever Money should be advanced to the Government, in consequence of this Vote, they would take care to repay, together with the legal Interest, that should be due, out of the Funds which should be granted to his Majesty next Session of Parliament? And do we not find them, in the Year 1717, making express Provision for the Re-payment of this Debt, by granting Funds, which, according to their Computation, were to produce upwards of ninety-two thousand Pounds more than the former? And in the Act where these Funds are first granted, is it not expressly declared, that they were intended for Re-payment of this Debt, as well as for supporting the Establishment for the two ensuing Years? And is there not an express Clause in this Act, to *make sure* to the Creditors the Money they had lent, whether the Funds hereby granted, should prove sufficient or not; enacting, that whatever Part of the said principal Sum and Interest shall be due and unpaid at *November 1719*, (when the Funds were to expire) *the same shall be well and truly satisfied and paid* to the respective Creditors, to whom the same shall be then due, without any Deductions whatsoever? This last Clause, which runs through all the Acts relative to our national Debt, even down to the present Administration, must surely cover the Advocates for *previous Consent* with no small Confusion: But the Purpose of what is now mentioned, is only to shew, that, at the Time we are now speaking of, there were no appropriated Funds; and, consequently, all the Funds, from Year to Year, paid into the Treasury,

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fury, were subjected to this Debt, and this Method continued to the second Session of the present Parliament; then the Debt was become so large, notwithstanding all former Attempts to discharge or reduce it, that it was found convenient to take some of the Funds formerly granted at large, and to appropriate them, together with some new ones, to pay the Interest, and reduce the Principal of the national Debt, then increased to upwards of two hundred thousand Pounds: But will any one pretend to say, that by taking this Measure, either his Majesty, or his Parliament, intended to *weaken* the Security given to the Creditors, to whom this national Debt was due, and given by his Majesty and the Parliament, the very Session before? And if not, then must they of Necessity own, that the whole Revenue of the Kingdom, whether appropriated, or unappropriated, continued still a Security for the faithful Re-payment of this Debt.

In 1739, the Debt of the Nation was stated at 296,988 *l.* 17 *s.* 1 *d.* $\frac{1}{2}$. and the Supply for discharging this Debt and supporting the Government for two Years, ending *Christmas* 1741, was fixed at 559,599 *l.* 1 *d.* $\frac{1}{2}$. the Ballance in the Treasury at *Lady-Day* 1737, and brought by the Officer to the Credit of the Nation, amounted to 15,070 *l.* 17 *s.* 1 *d.* $\frac{1}{2}$.

In 1741, the national Debt was stated at 353,856 *l.* 2 *d.* $\frac{5}{8}$. and the Supply for the two Purposes just now mentioned, fixed at 601,144 *l.* 18 *s.* 3 *d.* $\frac{7}{8}$. the Ballance remaining in the Treasury at *Lady-Day* 1739, and brought by the Officer of the Crown to the Credit of the Nation, amounted to 13,636 *l.* 17 *s.* 10 *d.* The Interest of the Loan was, in this Session, reduced to four *per Cent.*

In 1743, the Debt of the Nation, at *Lady-Day* preceding, was stated at 331,440 *l.* 12 *s.* 6 *d.* $\frac{1}{2}$.
and

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and the Supply granted for answering the Purposes, as above, to *Christmas*, 1745, fixed at 521,906 *l.* 10 *s.* 6 *d.* $\frac{1}{2}$. the Ballance in the Treasury at *Lady-Day*, 1741, amounted to 13,786 *l.* 3 *s.* 9 *d.* $\frac{1}{2}$.

In 1745, the Debt of the Nation, at *Lady-Day*, 1745, was stated at 258,517 *l.* 10 *s.* 6 *d.* and the Supply not only for the two Uses above specified, but likewise for buying Arms for the Militia, and for erecting Batteries for the Harbour at *Cork*, was a Sum not exceeding 607,080 *l.* 1 *s.* 5 *d.* $\frac{1}{4}$. and for the more speedy and certain execution of the last two Purposes, Debentures were ordered to be struck for a further Loan of 70,000 *l.* at 4 *per Cent.* the Ballance, returned by the Officer, as lying in the Treasury at *Lady-Day*, 1733, to be applied to the Credit of the Nation, came to 14,858 *l.* 6 *s.* 2 *d.* $\frac{1}{2}$.

In 1747, the Debt of the Nation, at *Lady-Day* preceding, is stated, by the Committee, at 314,304 *l.* 18 *s.* 3 *d.* and, by the Officer of the Crown, at 317,878 *l.* and the Supply for the usual Purposes, for two Years, ending *Christmas*, 1749, fixed at 575,027 *l.* 1 *s.* 10 *d.* the Ballance in the Treasury at *Lady-Day*, 1745, as returned by the King's Officer, amounted, to the Credit of the Nation, to 33,619 *l.* 7 *s.* 10 *d.* $\frac{1}{2}$.

And now we are come to the Session which, in regard to the Article in Debate, very well deserves the Reader's closest Attention; the Committee of the House drew up a State of the national Account in the following Manner.

First, They take Credit to the Nation for the net Produce of the *hereditary Revenue*, and next, of the additional Duties, for the two Years last past, ending the 25th of *March*, 1749, amounting to 1,007,994 *l.* 1 *s.* 2 *d.* $\frac{1}{2}$. to which they add the Sum of 58,500 *l.* being such Part of the last Loan of 70,000 *l.* as had at that Time been

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paid into the Treasury; they farther add the Sum of 17,682*l.* 9*s.* 10*d.* which was the Ballance remaining in the Treasury, in Credit to the Nation, at *Lady-Day* 1747, making in the whole 1,084,176*l.* 11*s.* ½. Then the Committee proceed to deduct out of the above Sum, the full Charge for Support of the civil and military Establishment for the last two Years, and likewise several Payments made by the Treasury, pursuant to Act of Parliament, King's Letters, &c. making in all the Sum of 905,972*l.* 11*s.* 6*d.* ½. and when this is deducted, the Remainder being 178,203*l.* 19*s.* 6*d.* is the exact Ballance due to the Nation, at *Lady-Day* 1749, out of the Produce of the hereditary Revenue and additional Duties; for the Reader will here observe, that there is no Distinction made between the one and the other, or even between them and the Loan, but all are alike considered, and claimed, as the Money of the Nation; and claimed, in such an artless, obvious Manner, as plainly to shew, that the House of Commons had not the least Suspicion or Imagination, that any Person could call their Right of doing so, into Question, upon any Pretence whatsoever.

The Committee next proceeds to lay before the House the State of the national Debt. And *first*, They bring to charge the Sum which had been reported to be due, on the Loan, at *Lady-Day* 1747, amounting to 331,987*l.* 8*s.* 1*d.* to which they add the Money which had been paid into the Treasury, on Account of the last Loan of 70,000*l.* and likewise the Interest due on the whole of the Loan, to *Lady-Day* 1749, amounting in all to the Sum of 422,072*l.* 8*s.* 1*d.* and then they deduct from this Sum, *first*, the whole Produce of the several Duties appropriated to pay the Interest of the Loan, to *Lady-Day* 1749, amounting to 38,750*l.* 10*s.* 1*d.* which Deduction leaves a
Remainder,

Remainder, amounting to 383,321*l.* 18*s.* from which last Sum deducting the Ballance already mentioned, of the Money remaining in the Treasury at *Lady-Day* in Credit to the Nation, amounting to 178,203*l.* 19*s.* 6*d.* the whole Debt of the Nation at *Lady-Day* 1749, was a Sum, so the Committee pronounce, not exceeding the Sum of 205,117*l.* 1*s.* 6*d.* and agreeably to this State, the House resolved, that this, and no larger Sum, was the Debt of the Nation at *Lady-Day* 1749.

Thus the House of Commons considered Money redundant in the Treasury, as equivalent to Money already applied to the Credit of the Nation, in the actual Discharge of national Debt: They very well knew, that his Majesty was not only a royal, but a most righteous Trustee; and therefore, as his Majesty had, at the Opening of the Session, acquainted them by his Lord Lieutenant, that He had nothing to ask but the usual Supplies, they thought themselves sure, that nothing would be more acceptable to his Majesty than to *ease his faithful Subjects*, by relieving them of Part of the Burthen they had so long lain under, of national Debt; indeed, they were not only warranted to think in this Manner, from that paternal Regard which his Majesty had always graciously testified towards his truly dutiful and well-deserving Subjects of this Kingdom, but now the Time was come, when parliamentary Faith absolutely required it, as an Act of Justice, that such an Application should be made of this redundant Money; the Creditors had, in every Act of Parliament, relative to this Debt, been made secure of the punctual Payment of their Interest, and also of their Principal, as soon as they respectively should think fit to call for it; not only so, but in every Act, the Nation likewise were assured, that as soon as the Nature and Circum-

stances of Things would admit, they should be relieved of this Burthen, and consequently of the Taxes which were relative to it; this was done by enacting, that the Principal, as well as Interest of this Debt, *should* be paid off, at the End of the ensuing two Years.

The Nature and Circumstances of the present Situation, did not only obviously admit, but plainly point out, that this Stipulation should now be carried into actual specific Execution, in regard to a large Portion of this Debt; nor would it have been consistent with Truth, with Justice, or with any Principle of honest Policy, to have omitted it: Well then might the House of Commons take it for granted, that such an Application of public Money, as every Principle which can bind honest Men required to be made, must of Necessity be highly pleasing to his Majesty, who had, as expressly as Words and Actions could do it, signified this to be invariably his royal Intention by passing the several former Acts.

It was not in Nature, that the House of Commons could have the least Doubt of such a Measure being at present highly approved by his Majesty; as the only conceivable, or possible Circumstance of Hesitation had been already obviated by the Declaration from the Throne, 'that the King ' had nothing to ask from his People but the ' usual Supplies.' Should it be suggested, that still Emergencies might intervene, which would require a different and instantaneous Application of the whole or a large Part of this Money, let it be recollected, that these Emergencies might just as well happen after his Majesty had intimated that he would consent, as at any other Time; and if this Suggestion is to have any Weight, it is plainly in Opposition to this new Form of a previous Intimation of Consent; because it certainly would be more uncouth to
Majesty,

Majesty, to be laid under a Necessity of refusing the royal Assent to an Application of Money, which had been recommended from the Throne, and declared before-hand that the Crown would consent to it, than if the King had not brought himself into any such Intanglement; and yet, whatever Necessity would justify his with-holding his Assent in one Case, must be cogent enough to compel his with-holding it in the other.

Be this as it will, Heads of a Bill were ordered, in the very same Manner that all other Money-Bills had been ordered; in which the House direct a Clause to be inserted, for *applying* so much of the Ballance remaining in the Vice-Treasurer's Hands, at *Lady-Day* last, as shall be necessary to discharge a Sum of 70,000 *l.* remaining of the old Loan at five *per Cent.* and likewise, to pay off the Sum of 58,500 *l.* Part of the new Loan; amounting in the whole to 128,500 *l.* Pursuant to this Order, the Clause in the Heads of the Bill which soon after passed, and was sent to the Lord Lieutenant to be transmitted to *England*, is to the following Effect; after many Recitals, and particularly, after taking Notice, that the Aids and Duties, granted in the former Session, *had not proved sufficient to pay off the several Loan-Debts*, the Bill goes on in these Words; ' And whereas, ' on the 25th Day of *March* last, a considerable ' Ballance remained in the Hands of the Vice- ' Treasurers or Receivers-General of this King- ' dom, or their Deputy or Deputies, *unapplied*, ' and it will be for your Majesty's Service, and ' for the Ease of your faithful Subjects of this ' Kingdom, that so much thereof as can be con- ' veniently spared, should be paid, agreeably to ' your Majesty's most gracious Intentions, in ' Discharge of Part of the aforesaid national ' Debts, we pray it may be enacted, &c.' and then goes

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goes on, *first*, to direct the Payment of 70,000 *l.* remaining at five *per Cent.* and next, the Payment of a further Sum of 58,500 *l.* at four *per Cent.* with the Interest for the said Sums, to *March 1750*; which Interest was to be paid out of the growing appropriated Funds of the present Year; and then, in the Manner of former Acts, makes Provision for the Payment of Principal and Interest of the remaining Debt at *Christmas 1751.*

These Heads of a Bill were prepared and brought into the House by his Majesty's principal Lawyers, and passed by the House without any Opposition, and without one contradicting Voice; passed, likewise, without the least Symptom or Appearance of any Intention or Sense of Duty in his Majesty's Servants, or in any other Person, to acknowledge, in any Manner, an Intimation of his Majesty's previous Consent; indeed the Thing was impossible, unless they were to think it their Duty to have acknowledged a Falshood; for no such Intimation had been given, either from the Throne, or by Message from the Lord Lieutenant, or in any other Manner, if there be any other practised in Parliament; though if there had been ever so formal and express Intimation, this would not, in any Sort, have altered the Case; for it is always to be remembered, that it is not his Majesty's signifying his previous Consent, but the House of Commons, making a parliamentary Acknowledgment, that his previous Consent, and an Intimation thereof to the House, was necessary before they could bring in any such Heads of a Bill, which can be of the least Service to the Cause of this Advocate, or to that of his Clients: Would not his Clients then do well to advise him to cancel in his next Edition, the chimerical, and evidently dishonest, Representation of this Proceeding, contained in the 7th, 8th, and 9th Pages of his Considerations?

More

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More than enough has already been said in regard to the Strefs this Author wants to have laid on the Words '*agreeably to your Majesty's Intentions,*' making Part of the above Clause; strange indeed, if doing Justice, and keeping his royal Word, might not, with the utmost Propriety, and Truth, at all times, be pronounced conformable to the gracious Intentions of his Majesty! But it may not be amiss just to remark, in regard to his Observation, of his Majesty's '*being allowed to be Judge of what can conveniently be spared;*' that surely it never entered into any Man's Imagination, that the King was not a Judge of this, and of every Article, in every Bill that is to be passed into a Law; but is it not, at the same Time, most evident, that the House of Commons took upon them likewise to be Judges of what could conveniently be spared, when they immediately proceed to *specify* the Sum? On the whole, it is hardly to be conceived, that any one plain-hearted Man can be found in this Kingdom, who will not find himself forced to confess, that the whole Procedure of the House of Commons, in regard to this Bill, testifies as strong a Sense of their Right of applying redundant Money, brought into the Treasury in virtue of the Authority of Parliament, towards the Discharge of the national Debt, as their Procedure in regard to raising the Loan, testified of their Right of subjecting the Nation to Debt and to Taxes, for the Support of Government.

In the above Manner and Words, the Heads of this Bill were carried to my Lord Lieutenant, and by him, and the Privy Council of *Ireland*, put into Form, passed unanimously by the Council, who are, at all times, presumed to be sufficiently careful of his Majesty's *Prerogative*; transmitted next to the Council of *England*, where it

was

was likewise unanimously passed, and after annexing the Great Seal, returned back again to *Ireland*, in the Words in which it went over; passed unanimously by the House of Lords, and then received the Royal Assent, and thus became a Law; a Law evidently accompanied with every Circumstance of Advantage which can give Weight to an Act of Parliament; founded in Reason and Justice; warranted by the strongest and most undeniable Precedents; every Article, throughout the whole of its Process, fair, open, and avowed, void of all Symptom of Art, Constraint, or clandestine Management, from beginning to ending; and, at length, enacted by the unanimous Consent of all the several Branches of our Legislature.

By this Act of Parliament, the Right of the House of Commons in pointing out to his Majesty, as original Movers, and in Virtue of the Constitution of this Country, such Applications of Money, already brought into the Treasury, as to them shall appear most conducive to his Majesty's Service, and the Ease of his Subjects of this Kingdom, is in the fullest Manner admitted and recognized; a Right, fully proved to be claimed and exercised by the House of Commons, as inherent in themselves, by a long Induction of Facts and Precedents, from the Reign of *Charles II.* without one Instance or Symptom of its having ever been called into Question, down to the Year 1751; when his Grace the Duke of *Dorset* was appointed Lord Lieutenant of *Ireland*, and his Son, Lord *George Sackville*, was appointed his Secretary.

And here, let it just be observed, that if the constitutional Rights of the House of Commons of this Kingdom, were not the same in this last Session 1753, that they were in the Session we have been speaking of, in 1749, and for near a Century

Century before, they must have been altered during this Administration; if they are the same, then must it be acknowledged, that the Transaction on the ever memorable 17th of *December*, 1753, was no other than what, in Duty, the House of Commons were obliged to go through with; in Vindication of an essential constitutional Right, which they, of all others, were under the strongest Ties of Duty to preserve, and transmit unviolated to the utmost of their Power.

If the Rights are not the same, then must it be maintained, that one single Precedent, if such can be produced, whether questionable or not, is sufficient, of itself, to *alter* our Constitution, in Opposition to Sense and Justice, and to the unquestionable Authority of Acts of Parliament, and Precedents almost innumerable; in which Case, it is fondly to be hoped, that future Parliaments will religiously adhere to the Precedent which has last of all been set to them, in resolutely vindicating that Right, which has, this Session at least, been reclaimed, to the everlasting Honour of those who reclaimed it, and which, it is demonstrated, was the unquestionable *constitutional Right* of the Commons, for near two hundred Years.

The Supply granted to his Majesty towards paying off the Remainder of the national Debt, and for the Support of Government, for two Years, ending *Christmas* 1751, was a Sum not exceeding 553,267 l. 12 s. 1 d.

In opening the Session 1751, his Grace takes Notice, in his Speech from the Throne, that it gave him great Satisfaction to observe the extraordinary Produce of the Funds which the Commons had formerly granted, and that he had nothing then to ask but the usual Supplies; and then goes on in these Words, 'I am commanded by the King to acquaint you, that his Majesty,

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‘ Majesty, ever attentive to the Ease and Happiness
 ‘ of his Subjects, *will graciously consent*, and
 ‘ recommends it to you, that such a Part of the
 ‘ Money now remaining in *his Treasury*, as shall
 ‘ be thought consistent with the public Service,
 ‘ be applied towards the further Reduction of the
 ‘ national Debt.’

No Body can dispute that this was a Language altogether new, such as never had been spoken from that Place before; and may it not be lawful, modestly to ask, what Occasion could there be for it? Surely it could not mean that, in all Events, whether urgent Emergencies happened or not, his Majesty would still persevere in his Purpose of applying this Money to discharge the national Debt; and if not, had not the House of Commons the strongest Assurances already, which could possibly be given them, of his Majesty's gracious Intentions to pay off this Debt, by his passing the Act of Parliament of last Session, wherein it is expressly enacted, that it should be paid off, at this very Time? It is certainly no great Wonder, that a Language capable at least of being construed into a Sense very unfriendly to the Rights, to the essential Rights, of this Country, proved a little alarming; but, without pretending to examine critically into their Meaning, the House of Commons satisfied themselves in their Address, with passing over the Words ‘ *will graciously consent*,’ and only ‘ acknowledge, with all Thankfulness, his Majesty's
 ‘ gracious Attention to our Ease and Happiness,
 ‘ in recommending the Application of the Money
 ‘ remaining in the Treasury towards the farther
 ‘ Reduction of the national Debt.’ Already then there plainly appears a remarkable Difference between the Transaction of this Session, and that of the last; in the former, there was *no* Notice taken in the Speech of applying this redundant Money,
 and

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and yet the House of Commons proceeded to apply it without any Hesitation; in the present, there is abundant Notice taken in the Speech, but taken in such a Manner, as in Part of it proves very alarming, instead of being, as usual, Matter of Thankfulness to the House; and puts them upon a Caution always distressful to right-hearted faithful Subjects, when addressing their Prince.

In stating the Accounts, the Committee proceeded in the very same Manner with that already mentioned under the Year 1749, and such was the Increase of the Funds, arising principally from the most pernicious, impoverishing Cause of monstrous Importation of Luxuries for some Time before, that, on ballancing the national Accounts at *Lady-Day* 1751, after making Provision for the Discharge of the whole Loan, there remained in *Credit* to the Nation a Sum not less than 22,370*l.* 1*s.* 11*d.* $\frac{1}{8}$. there remained however, at the Time of stating the Accounts, due to the Creditors, the Sum of 237,500*l.* and out of the large Ballance remaining in the Treasury, at *Lady-Day* 1751, the House instructed their Committee, who were to bring in the Heads of the Money-Bills, to insert a Clause for applying so much as should be necessary for paying off and discharging the principal Sum of 120,000. Heads of a Bill were accordingly drawn up, by the Prime-Serjeant, the Attorney and Solicitor-General, the Chairman of the Committee of Accounts, and the Solicitor to the Commissioners, and read and passed by the House; the Purposes of which Heads of a Bill were, *first*, to pay off the principal Sum above-mentioned, and then to grant his Majesty certain Duties, to be applied to the Discharge of the Interest of the said principal Sum, till it should be paid off, and to pay the Interest of the remaining Sum of 117,500*l.* and towards the Discharge of said Sum. In the

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Preamble

Preamble to these Heads of a Bill, the House made use of the Words in their own Address; expressing, 'thankful Acknowledgements of his Majesty's gracious Attention to the Ease and Happiness of his Subjects, in recommending the Application of the Money remaining in the Treasury, so far as it might be consistent with the public Service, towards the further Reduction of the national Debt.'

In this Manner, these Heads of a Bill were sent to the Lord Lieutenant, and after being put into Form, and passed through the Privy-Council of *Ireland*, without any Alteration, were transmitted to *England*; doth not every Step hitherto taken, in regard to this Bill, most clearly evince, that not only in the Judgement of the House of Commons, but of his Majesty's principal Lawyers, chief Judges, and his other privy Counsellors in this Kingdom, his Majesty's previous Consent was so far from being *necessary*, that their making any Acknowledgment of it, might possibly not even be *harmless*; for if they had been sure, particularly his Majesty's Lawyers in the House of Commons, that an Acknowledgment of 'Consent' might be made with equal Safety, with that of 'recommending,' no possible Reason can be assigned why they should omit, and purposely omit the one, and yet insert the other, when, according to the usual Form, of repeating in the Address the Words of the Speech, both ought to have been inserted: Our Author, when speaking on this Head, (*p.* 12.) so far acknowledges, as that leaving out the Word 'Consent,' *implied*, that it was imagined, *that such Consent was not necessary*; but with what Grace he makes this Acknowledgement, after having so recently as in *p.* 7. represented his Majesty's Lawyers as all looking on it as a clear and undoubted Point that his

his Majesty's Consent *was* necessary, and only that as the Case was new, the Gentlemen found themselves a little at a Loss in respect to the *Form in which this Consent ought to appear*, let other Folks judge.

This Bill was altered in *England*, and sent back hither under the great Seal, with the Words of the Speech inserted in Place of the Words of the Address: The general Uneasiness that was occasioned by this Alteration, and, in particular, to a considerable Number of Gentlemen in the House of Commons, who have since become zealous Advocates for the Doctrine of the Alteration, need not now to be remembered, farther than just to observe, that had the same Question been put upon this Bill which was put upon the last, instead of a Majority of five, there would, according to all Appearances at that Time, have been a Majority of upwards of fifty: Why this Question was not then put, and why the Measure of passing the Bill *sub silentio*, as it is phrased, and without the House appearing to be apprized of any such Alteration, why this Measure was, at that Time, preferred to rejecting the Bill, are Matters much easier asked, than it would be to resolve them: Many Causes and Circumstances, it is said, concurred; and among them, it has been alledged, that the Friends of this Country found themselves under a Kind of temporary Necessity, instead of marching straight forward in the plain, open, constitutional Road, to deviate for once into this political Winding, in order to avoid a Snare, which, they conceived, some Folks had been laying for them, with a View to entangle them with the Ministry of *England*, and of obtaining an Opportunity of covering their own personal and petulant Ambition with the specious Pretext of singular Zeal for his Majesty's Prerogative: If this was their Motive, or
Part

Part of their Motive for passing the Bill, it is plain, the Event has disappointed them; and it is to be hoped, that future Parliaments will be instructed from this Example, as, most happily for *Ireland*, the present has been already, never to venture on such a dangerous and unjustifiable an Experiment of Shifts and Expedients, from Conceits and Conjectures of Policy and Foresight for the Time to come.

Still it must be allowed, that the Temptation was a great one; no Wonder that the very Apprehension of being set in the Light of Frowardness to his Majesty, and of calling in Question any of his antient Rights, should be shocking to Subjects always distinguished for their zealous and most faithful Attachment to his Majesty's Person, his Family and Government; and conscious, that the least Intention of encroaching on his Majesty's Prerogative was abhorrent to their Thoughts: But bitter as this Cup was, they probably have, by this Time, been convinced, that they would have done well, rather than suffer themselves to deviate from the straight Rule of parliamentary Conduct, to have been contented to drink of it, and left it to Time and future Opportunities to set themselves right in the Eye of his Majesty, and of such of the Public, as might happen to be misled; a Time, they might be sure, could not have been far off, when they should have an Opportunity of manifesting to the whole World, that in regard to the Struggle which at that time was actually commenced, the sole Object which his faithful Commons had in View, was merely to prevent the Power of a Primate, and of a Lord Lieutenant's Secretary, from growing up into a Domination over all the Rights, Properties, and Priviledges of this Country, the last two Officers in the Kingdom, who should think themselves at Liberty to claim any Power whatsoever in the
Direction

Direction of the internal Interests, or over the Properties and civil Rights of such a Community.

But whatever were the Motives, the Fact is certainly true, and the Adversaries of this Country are welcome to make all the Use of it, which its real Nature will admit, or their Ingenuity can devise; the Bill, with the Alteration, was then actually passed, and is now to be found in the List of our Statutes: Use it however as they will, it is impossible that any Man, who looks upon Truth and fair Dealing to be essential Ingredients in order to give any Transaction the Weight of a Precedent, can ever be brought to admit the present Transaction into the Rank of Precedents. Do but compare, for a Moment, the Transaction of 1749, with this, we are now speaking of, in 1751: In the former, every thing was open, simple, and natural; the Parts all consistent and similar; and the whole the Result of universal Choice, and inward undissembled Consent; in the latter, every material Circumstance reversed; begun, like the former, in the Temper of chearful Consent, but evidently concluding in Dissatisfaction, Perplexity, and a painful Sense of Constraint: Will any Man contend that Transactions so different, are yet to be considered in the same Rank of Authority? Farther, ought not every Reason, which gives Authority to Precedents, have prevented the Alteration, which was so evident a Departure from the Precedent of 1749? And will not every Reason which shall justify the Administration in departing from this Authority, and in creating a new Precedent in the Year 1751, justify likewise the Representatives of the People in creating, in the same Manner, a new one in the Year 1753; and much more in returning back to an old one, practised, unquestionably, so lately as the Year 1749, and warranted

ranted by an uninterrupted Course of Practices, at least so far back as the Year 1662? And lastly, under this Article, may it not be asked, in what Sense is the Transaction in 1751 to be accounted a Precedent? Surely not in the whole, for that was made up of two very dissimilar Parts; and for a still stronger Reason, not in the first Part, because that was in direct Opposition to the Doctrine of *previous Consent*; what then is there left of this Transaction to constitute this singular Precedent of *greatest Weight*? Why, plainly, no other than this, 'That the House of Commons suffered an Acknowledgment in their Name to continue in a Bill, which had been inserted without their Consent; an Acknowledgment, which their whole Conduct had clearly demonstrated they never *meant to have made*, if left to themselves, and which they could not probably have made consistently with Truth, after the Sense they had so recently testified, in regard to the constitutional parliamentary Right of this Kingdom, respecting this Article; a Precedent this, if it must be called a Precedent, which may well be lamented, but can never be envied to the Adversaries of the parliamentary constitutional Rights of this Kingdom. Men who are wanting to lay such a Stress on so spurious a Transaction, cannot more strongly confess that their Cause is utterly destitute of all legitimate Authority.

Thus, having laid the Foundation in one remarkable Act of Parliament in 1665, and concluded with another in 1749, the Remarker would gladly hope, that by the preceding Induction of so long a Series of intermediate Proofs, it must, at length, be made level to the Apprehension, and satisfactory to the Judgment of every plain honest Man, that the House of Commons of
Ireland,

Ireland, have been in full Possession, and in the uninterrupted Enjoyment and Exercise of the following constitutional Rights, for near a Century of Years.

First, The essential Right of ordering, in virtue of their own Authority, all the public Accounts of the Nation to be laid before them.

Secondly, The essential Right of calling the Officers of the Crown to an Account for all Applications of the public Money, and of punishing them for Mis-applications.

And, *Thirdly*, The most essential Right, never once called into Question before the Year 1751, of pointing out to his Majesty, by Heads of Bills, such Application of public Money at any Time redundant in the Treasury, as they, his Majesty's supreme Council for this Kingdom, judged most conducive to his Majesty's Service, and to the Ease and Safety of his Majesty's Subjects of this Kingdom.

In consequence of these, it must likewise demonstrably follow, that to acknowledge an antecedent Necessity of his Majesty's previous Consent, before the House can be at Liberty to point out such Applications of public Money, would be, in the strongest Terms, to give up and renounce one of the most essential and important of all parliamentary constitutional Rights; and,

Lastly, That the full Enjoyment of all these parliamentary Rights is perfectly consistent, and evidently correspondent with, his Majesty's full and undisturbed Enjoyment of every Article of his royal Prerogative, or ancient Rights; of every Prerogative and every Right that the worthy Heart of his present Majesty would wish to enjoy, and which any Prince can be permitted to enjoy consistently with a legal Government, or with any rational Security of the Property and Liberties of this Country; indeed, consistently with the Safety of the general Liberty of *Britain*, and of the present free *British* Empire.

Before proceeding to the third and last Purpose of these Remarks, it may not be amiss to conclude the present Article with the following Observation; that the Policy of the House of Commons in letting so large a Sum remain in the Treasury at that Time, without proposing any farther Application, would seem extremely well judged; for, as this large Redundancy was principally owing to an extravagant Importation of Luxuries, which, in the Nature of the Thing, must in some Time necessarily abate,
and,

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and, in Consequence, the Produce of the Duties be in Proportion reduced, nothing would seem to be better judged, than to let Money remain in the Treasury against such an Event, in order to prevent the Necessity of increasing the Taxes for future Supplies: And it is to be hoped, that so obvious a Reflection will never be suffered by any Friend to this Country to go out of his Thoughts, that as there must always be a Necessity on the House of Commons of increasing the Taxes for the Support of Government, when the former Supplies have proved insufficient; so, in order to do equal Justice to their Constituents, there must be a like Necessity as often as there shall happen a Redundancy from these Supplies, to point out such an Application of this Redundancy as will best conduce to the Ease of the People, now that all the Exigencies of Government had already been answered.

Agreeably to this most evident Maxim of Justice and OEconomy, the House, who had granted a Supply of 553,267*l.* 12*s.* 1*d.* in 1749, grant no more than 326,720*l.* 4*s.* 2*d.* in the Year 1751.

If the above Detail of the Proceedings of Parliament proves acceptable to the Reader, he will readily excuse the lengthening out of these Remarks: But as it is not enough to point out the Fallacy of our Author, but likewise highly expedient to lay open the malignant Tendency of his Doctrine, a supplemental Number for answering this Purpose, and compleating the Remarker's Intention, shall be published next *Saturday*.

ERRATA in NUMB. III.

PAGE 12. Line 2. *for* Having, *read* Waving. P. 16.
L. 25. *for* And how, *read* And now. --- NUMB. IV.
Page 41. Line 25. *for* two, *read* one.

A
S U P P L E M E N T
T O T H E
R E M A R K S
O N A
P A M P H L E T
I N T I T L E D,
C O N S I D E R A T I O N S

On the Late

B I L L

For Paying the

National DEBT, &c.

D U B L I N :

Printed in the Year MDCCLIV.

REMARKS
 ON A
 PAMPHLET, &c.
 CONCERNING
 THE RIGHTS OF THE
 PEOPLE OF GREAT
 BRITAIN
 IN PARLIAMENTS
 ASSEMBLED
 BY
 JOHN BURNET

REMARKS
 ON A
 PAMPHLET, &c.

AFTER the various Arguments, Facts, Precedents, and Acts of Parliament, which have been laid before the Public in the Course of these Remarks, may it not be fairly presumed, that the Mind of every intelligent and impartial Reader, must, by this Time, be fully prepared to assent to the Truth of the following Propositions?

First, So inherent and inviolable are the original Rights of Men, that whatever Powers shall, in reality, be found requisite for establishing a valid Security to the Community for the peaceable Enjoyment of all such Rights, these, the People, or the Representatives of the People, are, at all Times, intitled to vindicate and reclaim, upon the very same Principles on which they were originally intitled to claim and demand them, on the first Institution of their Form of Government; and that no Length of Time, no Variation of Form, no Customs ancient or modern, no Prerogative, nor no Act of Parliament, can ever be pleaded in Bar of this Right.

Secondly, That the Claim of the House of Commons of *Ireland*, to point out to the Crown such

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such Applications of the public Money raised off the Community, in Virtue of parliamentary Authority, as they judge most conducive to the Ease of the People, and the Service of Government, is not only intitled to the full Benefit of the above Observation, but likewise clearly supported by unvaried Custom, Precedents and Acts of Parliament, for a long Series of Years; consequently, that so far as any late Measures have had a Tendency to deprive or abridge the House of Commons of the full Exercise of this Claim, so far they must be confessed injurious in their Nature to the undoubted parliamentary Rights of this Kingdom; and therefore of Necessity ought to be withstood, in the very Manner in which they were withstood this last Session of Parliament; otherwise the House of Commons must unavoidably become chargeable with the Guilt of having given up or betrayed their Country's constitutional parliamentary Rights.

And now, if the above Propositions have, in Truth, an unquestionable Foundation in Reason, Justice, and Matter of Fact, can it be any Wonder that a Majority should be found, of the Representatives of the People, and Guardians of the Rights, Properties, and Privileges belonging to this Country, resolute in the Vindication of so essential a Right? Gentlemen by this Time heartily tired of Shifts and Expedients, and not a little apprehensive that something unfriendly was meant to this Kingdom, not merely from the Repetition of those ill-boading Words of *previous Consent*, but from several other Incidents, still much more alarming: On the contrary, are not all Circumstances of Wonder swallowed up in this, how such a Number of the Sons of this Country should not only be willing to part with, but some of them vehement and zealous that the House of Commons should

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should make it their own Act and Deed, courteously to make a surrender of this their parental goodly Inheritance? It is true, there are but too many Men to be found in all Countries, some of them born to ample Possessions, and others with the groveling Capacities of acquiring and accumulating large Heaps of Wealth, who never once taste of the heavenly Gift, or feel one single animating Perception of the real Dignity of human Nature, consequently utterly incapable of forming any just Apprehensions of the essential Rights of Men, and conceiving a Zeal for them, from their coming into this World till they return to their Dust; but this will not fully account for the present Appearance.

In this Manner, however, the real Facts stood in the Beginning of this Session; a large Redundancy continuing still in the Treasury, and part of the national Debt remaining still undischarged, his Grace, in his Speech, made the very same Mention of his Majesty's Consent he had made the Session before; and the House of Commons, in regard to this Article, expressed themselves in the Manner they had done in their former Address: They afterwards proceeded to bring in the Money-Bill, and likewise the Heads of the Bill for the Discharge of this Debt.

It was proposed to the Committee of Supply, to prefix to the Heads of this Bill, the very same Preamble which was last Session, by the Alteration made in *England*, prefixed to the former; but this was, by the Chairman, and two more of the Members of the Committee, so resolutely withstood, that this Scheme was dropt; and the Heads of the Bill were brought into the House with several Recitals, but without any complimentary Preamble; and in this Form, contrary to general Expectation, were passed without any Opposition: Here it is plain, that notwithstanding all the Pains

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Pains that had been taken, and all the Means which had been made use of, they durst not yet venture the Issue of this Matter on a Debate in the House: No one can pronounce with Certainty what would have been the Consequence of sending over the Bill, after the Preamble to the Bill had been debated here, and ordered to be left out: But, in all Likelihood, it must either have come back in the Form in which it went over, or, at least, be accompanied with some other Reasons, than barely an Intimation, in general, that his Majesty's Prerogative made it necessary that such a Preamble should be prefixed.

Be this as it will, no Objection was made by the Secretary, or by any other of the Servants of the Crown, nor by any other Member of the House, against passing the Heads of this Bill, without any Acknowledgement of *previous Consent*, indeed, without any complimentary Acknowledgment whatsoever; nor doth it appear, that any Objection was made to this Form in his Majesty's Privy-Council of this Kingdom; strange, if any Bill should be transmitted with their Approbation, and yet appear to them injurious to his Majesty's Prerogative! The Fact, however, is certain, that the Bill was sent into *England* without any Preamble, and was transmitted back hither with the Preamble of the former Session prefixed, accompanied with a Letter, intimating, as has already been mentioned, that his Majesty's Prerogative required such an Alteration: How it could be conceived that his Majesty's Servants in this Kingdom, who had never betrayed either Ignorance or Inattention in regard to his Majesty's Prerogative, and who could not but be best acquainted with the Nature and Extent of this Country's constitutional parliamentary Rights, and, in consequence of this Knowledge, had, in a Variety of Instances,
already

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already testified a very strong Sense that these Rights would be injured by any such parliamentary Acknowledgment; how it could be imagined, that these, his Majesty's Servants, could be so instantly illuminated by so general an Intimation, as to cause them, all at once, to renounce their former Principles, and confess the Necessity of a *previous Consent*, is what must wholly be left to Men, thoroughly practised in political Trambles, to comprehend and explain.

The Event, God be thanked, has sufficiently evinced, that nothing could make these honest and able Men, swerve from their own Sense of their Duty; and that, according to their Apprehension, nothing could more effectually recommend their Services to the Acceptance of so righteous and beneficent a Prince, than their continuing, through good Report, and bad Report, invariably faithful to the Trusts which had been reposed in them by so loyal, so unsuspecting, and so affectionate a People; upon these Principles, and upon these Principles only, they rejected the Bill; and, in consequence, relieved the Apprehensions of Multitudes of his Majesty's faithful and zealous Subjects of this Kingdom from infinite Distress.

Having thus made it manifest, that not one Step has been taken in regard to this Bill, but what the House of Commons were laid under an unavoidable Necessity of taking, if they meant to preserve to the present Generation, and to Posterity, the ancient, hereditary, and constitutional, parliamentary Rights of this Country:

It only remains, now that the Right itself is established, to shew the inestimable Value and Importance of this Right; this will naturally be made evident, by spending a few Pages in examining the Tendency of the Doctrine which our Author has found himself under a Necessity to
advance,

advance, in order to justify the Measures which have been taken to deprive us of this Right.

Were it not that the Policy of it had like to have proved our Ruin, it would be pleasant to trace down, from the first Introduction, the various Senses which have been put, or attempted to be put, on the uncouth Language of *previous Consent*. The first Time it was made use of, no small Pains were taken to have it understood, not as intended to express any determinate Meaning distinct from the subsequent Word *Recommend*, but only as a strong Manner of his Majesty's testifying his intire Approbation of such an Application of the public Money, acquainting his Subjects, beforehand, that whenever a Bill for so excellent a Purpose came before him, it should most assuredly and readily receive his royal Assent; and the Manner of paying off the former Gale of the national Debt, having left this Country without any Suspicion, this Representation for some time had its Effect; Indeed, when the Money-Bill was soon after altered in *England*, in order to introduce this very same Phrase, it became unavoidable to suspect that something more was couched under it, than what the simple Folks of this Country had formerly been wished to believe; but even then it was insisted, that there was not the least Foundation for any Alarm; that the Words had been inserted, not on Account of any particular significant Meaning contained in the Phrase, but on Account of the Respect that always is due to the Speech from the Throne, which necessarily required, that the Preamble of the Bill should exactly correspond to the Words of the Speech, and not, as it had been sent from hence, to the Words of the Address.

In this equivocal State did this Matter rest, till this last Session of Parliament; but when the very same Language was again repeated and strictly adhered

adhered to, on the Opening of this Session, it was impossible any longer not to be convinced that something unfriendly to the Rights of this Country must be ultimately intended by it; for, as it was afterwards argued, with equal Propriety and Modesty, by a young Gentleman in the House, either these Words must be affirmed to be harmless, or otherwise they must be admitted to contain something which no Body cares to explain, and which consequently must be unfavourable to the Right of this House; if they are merely harmless, why so much Pains taken to obtrude them upon us? If they are hurtful to our Rights, is it possible that any Man can assign a good Reason, why they are so zealously contended for, within the Walls of this House?

But though all were agreed, that something unhospitable must of Necessity be meant, it was not yet cleared up what this precise Meaning was: In this Matter we were soon farther instructed, by the Letter which accompanied the altered Bill from *England*; there we are told, that the taking Notice of his Majesty's *previous Consent*, in a Case of this Nature and Importance, is absolutely necessary for the Support of his Prerogative and Dignity. This lets us much farther into the determinate Meaning than ever we had got before.

An apprehended Opposition between his Majesty's Prerogative and the Claim of the House of Commons is here clearly pointed out: But even this is very far from coming up to the full extent and Operation of the Doctrine intended to be established by our Author, and his Patrons, in regard to previous Consent: In the Letter, we have mention only of his Majesty's Prerogative, not of any ancient and permanent Right. Prerogative is no more than an indefinite Power, which the Crown is at Liberty to take up and exert, as

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often as it is necessary for, or conducive to the general Safety of the Community, and consistent with the legal and constitutional Rights of the several respective Members; and must always be laid down, as soon as it appears to interfere with the general Good, or the constitutional legitimate Rights of any of the Subjects:

A full Explanation of the whole Mystery and Force of this Doctrine was reserved for him, and properly reserved for him, as, in all Appearance, no Persons could be so well qualified to explain it as some of his Patrons. The Doctrine then, as he has laid it down in his Considerations, is no other than this.

That the Parliament of *Ireland* should be obliged to acknowledge, that the Crown is possessed of an antient permanent Right to the Application of all public Money brought into the Treasury: That the King is the sole Judge of the proper Occasion, the proper Time, and the proper Sum, in all Instances of such Application: That no other Power in the Constitution can have the least Pretence, or Shadow of Right to point out, or in any Manner to intimate, their Wishes in regard to any Application of this Sort, without first having obtained his Majesty's Leave to propose such Application.

That the King, it is true, *ought* to apply all this Money for the Ease of his People, and the public Service of the Nation; but that there is no Power upon Earth that has a Right to call for an Account, whether this Money has been in Fact applied agreeably to this constitutional Trust or not.

That the Parliament, it is likewise true, has a Right to punish those who shall wickedly advise such Acts as would be a Breach of this public Trust; but that they can have no Power of coming at the Knowledge, whether any Persons had

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had given such wicked Advice, or not, unless the Persons who were guilty of the Breach of Trust, in consequence of this Advice, shall graciously condescend to suffer the necessary Evidence to be laid before them.

That there is a Right in the Commons to grant as much Money out of the Pockets of the People as they can, by any Influence, be prevail'd on to grant; but that the People can never have any other Means of knowing, except by their feeling the sensible Effects, whether this Money comes afterwards to be applied to their Ease, or to their Oppression; to the Service of the Public, or to the total Destruction of its most inestimable Liberties.

That this is the real Doctrine of our Author, stript indeed of some of this equivocal and smooth sounding Words, but void, at the same Time, of all unfair Exaggeration, every Reader may satisfy himself, by a careful Review of the whole of his Pamphlet, and particularly by looking into the Pages specified below *: And that this Doctrine is destructive of all legal Government, far beyond every thing that was taught by Judges or Doctors, under *Charles I.* cannot be denied, when this new Engine of Tyranny, the main Springs of which, all ready made by our Author, and easy to be put together, if ever these Lands shall be cursed with a Tyrant, are for a Moment examined; for what will be wanting, but to procure a House of Commons, by making them Sharers in the Spoil, to strip their Constituents of their Property, under the Sanction of the Constitution, and, at the same Time, render the People acquiescent under the Sense of their Misery, by making them believe that nothing has happened to them but what was according to Law.

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Suppose,

* Page 5, 18, 23, 40, 41, 42, 47.

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Suppose, but for a Moment, that a Prince, of the Spirit of *Charles II.* should, at some future distant Time, succeed to the Government of these Kingdoms, utterly inattentive to the Good or Ill of his Subjects, careful for nothing but to keep his Whores in good Humour, his Ministers from teasing him, and to have Money at his Command; suppose such a Prince to receive ample Supplies, in the Manner that Supplies are granted at present, for answering the recurring Demands of the civil and military Establishment, and every other of the usual Purposes of Government; suppose him once more, instead of applying the Produce of these Supplies towards answering these useful and necessary Purposes, to call for the largest Share of this Money, in order to answer some more favourite Purposes of his own, and to leave the several Orders of Men, depending upon Government, to shift for themselves till the next Session of Parliament; promising them, in the mean Time, that all should be made up to them, when the Parliament met.

In what a wretched Situation must this poor Parliament instantly find itself, on its first sitting down? The Treasury quite empty, and all Orders of Men, in the Service of Government, civil, military, and contingent, furious, like hungry Lyons let loose to seek for Food; invironed in this Manner, what Remedy, think you, has our Author's Wisdom devised? Why, truly, 'to WITH-HOLD *future Grants, in Proportion to Mis-applications!*'

Can a Man mean honestly who writes in this Manner? Principles of Justice and Honour the Prince we are speaking of is supposed to have none; our Author has told us, that the Constitution has left him without any Restraint besides, in regard to his Manner of applying the Money, granted as Supplies for the Purposes of Government;

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ment; these Purposes of Government must, of Necessity, be carried on, though the Prince should be ever so unfaithful to his constitutional Trust, and yet our Author makes no Difficulty of assuring the Public, that 'they are not without a Remedy in Case of Abuse; the true parliamentary Checque, saith he, will always remain, *to withhold future Grants.*' What think you, courteous Reader, would not a Resolution or a Vote of this sort, carried from the House to the Deputies of ten or twelve thousand armed Men ready to perish for Want, and to mutiny for Pay, be an extremely happy Expedient to satisfy their Hunger and turn away their Wrath? Or is it not an Insult on every Man's Understanding to talk of such Remedies? But without putting Cases of distant Contingencies, is it not evident, that had the Doctrine of this Pamphlet, so zealously propagated and dispersed, received the Sanction of the House of Commons, by their passing this Bill, it would next Session of Parliament be a reasonable Answer, if the Accounts should be asked for, Gentlemen, his Majesty has nothing to desire of you but the usual Supplies, what Occasion, therefore, to look into the Accounts? And yet who doth not see, that as the actual taking away the present Redundancy remaining in the Treasury would ruin the Kingdom, so the very Apprehensions that it was liable to be taken away, would effectually put a Stop to the Circulation of, at least, one half of the Commerce carried on in this Country: Indeed, whoever has any Idea of the Operation of Pannics, must readily agree that this, in all Probability, would, at this very Hour, have proved the sad and unpreventable Consequence, if this Bill had passed.

What dreadful and accumulated Mischief has this Nation most happily escaped, in an Extremity of Danger; the greater the Extremity, the

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the more precious, doubtless, ought our Deliverance to be held, and, likewise, the manly Resolution of our worthy Representatives, by whose composed Fortitude this Deliverance was accomplished; but how inexpressibly painful is it, to reflect on the amazing Causes which brought on this Extremity! That one or two Men conscious of being utterly destitute of such Qualifications, as are most essentially requisite for conciliating the permanent Confidence of any sober and liberal minded Community, should yet take it into their Hearts to aspire to the principal Direction over all the Interests, external and internal, relative to this Country, is an Event, which, in all Conscience, is, of itself, full enough of Wonder; but that Gentlemen of this Kingdom, some of them possessing these Qualifications themselves, and none of them at a Loss in regard to Numbers of their Countrymen well deserving this constitutional Trust, should have conspired to gratify this most groundless and immoral Ambition, and to gratify it by concurring in Measures, all of them unfriendly, and some of them, in their Tendency, utterly destructive of the principal Interests and Rights of this Nation, what can so singular an Appearance as this, so totally out of Nature, be otherwise resolved into, than downright Fascination?

What avails it for Men to call themselves Whigs, and, at the same Time, act a Part directly subversive of all Liberty?

Can there one Instance be assigned, since the Beginning of the World, of a Country retaining its Liberty, after the principal Direction of the Purse of the People was got into the Hands of those, who already had the supreme Direction of the Force of the Society?

Is it not demonstrable, from the Nature of the Thing, that it is impossible for human Wisdom

to

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to devise any other valid Security for the Rights of the People, than by keeping in their Power that necessary Engine, without the Application of which the Force of the Society can neither be collected nor set into Motion. It is not talking, and drinking of Toasts, that constitutes a Whig. No Man is a Whig who doth not look upon the Preservation of the natural Rights of Men, his Neighbour's, as well as his own, to be the first and most essential Purpose of every legitimate Form of civil Government.

No Man is a Whig who does not think it his Duty, upon all suitable Occasions, to hazard his Life in support of a Government of Laws, in opposition to the insolent Domination and arbitrary Will of any Man, or Junto of Men, be he or they ever so much elated by their brief Authority.

No Man consequently can be a Whig, who is not zealous to preserve the principal Power over the Money of the People in the Hands of their Representatives; this being the only valid constitutional Means, by which a Government of Laws can be maintained. How many Men are there, who will be surprized to find themselves stript of their favourite Appellation by such a Description? They would do well, however, for a Moment to reflect, that this may not be owing to any Mistake in the Description. Is it not, in Truth, a perfect Mockery, for any Man to pretend to the Character of a Whig, and yet to assert that the Crown is possessed of a constitutional Power to apply the Money of the People, either to the Good or Hurt of the People who gave it, as the Crown should see fit; which yet must be the Doctrine of our Author, when he affirms, that the House of Commons has no Right to call this Trustee Power, or the Officers acting under it, to an Account?

Must

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Must not the Question be for ever recurring, what can be the Meaning of the unusual and amazing Measures of late taken up in regard to this Country; accompanied, and attempted to be supported by Doctrines of a Tendency so evidently pernicious? avowedly and zealously supported by the extraordinary Pains which have been taken in dispersing the Composition containing these Doctrines; containing them with this most insolent Commination, at the Close of the Pamphlet, 'That whoever shall go about to expose the real Tendency of those Measures, and of the Doctrines by which they are meant to be justified, must lay their Account' (so our Author expressly gives Warning) 'to be made answerable for the Consequences of alienating the Minds of his Majesty's Subjects in this Kingdom, from the Government, AND CONSEQUENTLY FROM THE PERSON OF HIS MAJESTY.' Did our Author recollect that there ever had been such Men in this Country as the Earl of *Strafford*, and Sir *Constantine Phipps*, when he expressed himself thus? But whether he did or not, makes but very little Difference.

Various have been the Attempts to alienate the Affections of the Protestant Subjects of *Ireland* from his Majesty; and no Wonder that his Majesty's Enemies should be incessantly at work in repeating such Attempts, as the hitherto indissoluble Union of that powerful Body of Subjects, must necessarily be beheld with Anguish of Heart, by all his treacherous Subjects at home, and by all the malevolent States and Princes abroad; beheld as one of the most impregnable Bulwarks of his Majesty's Person, Government, and Family. Thanks be to God, they have all proved as foolish and vain as they were wicked; but if our Author and his Patrons can find out the Secret of making this worthy Body of
Subjects,

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Subjects, in opposition to their Senses, to assent to the Doctrine of this parting Admonition, the Work, it must be confessed, will be then well nigh accomplished, alike to the Wishes of the would-be Lords of this Country, and of his Majesty's Enemies.

If the honest Subjects of this Kingdom can be once made to believe, that the Indignation they may have, at any Time, felt, at the Thoughts of a Primate, and of a transient Minister's transient Secretary acquiring the principal Direction of the Interests of this Country, was chargeable with the Guilt of just so much Indignation conceived against the Person of his Majesty; if they can be made to believe this, at the very same Point of Time when their Hearts were rejoicing within them, from the Sense of living under the Government of a Prince, who they knew would never endure that his Protestant Subjects of *Ireland* should, at any Time, be brought under so odious a Domination; or,

If these honest Subjects can be once made to believe, that whatever Dissatisfaction they may be unavoidably led to conceive against particular Instances in an Administration, tending ever so obviously, in their Apprehension, to strip this Country of an essential Part of its Privileges and Rights; to divide the Strength of its Protestant Inhabitants, to dry up the Sources of our national Industry and Wealth, and to divest the Gentlemen of this Country of their usual and rightful Share in administering the internal Interests and Regimen of this Kingdom; if they can be made to believe, that all such Dissatisfaction, though conceived solely against certain Measures in the Minister or his Favourites, are yet capable of being construed into so many Instances of Disaffection conceived personally against his Majesty, and capable

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of

of this Construction in the very Hour in which their Eye of filial Confidence is, with all Humility, turned towards his Majesty, as able and willing to deliver them from all such painful Apprehensions; if such Conceptions as these could once be made Part of the Creed of the Protestants of *Ireland*, as all of them are plainly imply'd in this last Article of the Doctrine of our Author, then indeed must those faithful Subjects of his Majesty be contented to bear the Imputation, in direct Opposition to their own most sensible Feelings, of Disaffection to his Majesty, or else to submit their Necks quietly to whatever Yoke a Minister, or a Confident of a Minister, shall think fit to clap round them.

But our modern *Machiavelians* would seem to be but very ill instructed in the Craft of their Calling; for though the Trick, however stale, may still be a good one, when practis'd at Court by the Hand of an Artist, begetting Perswasion in the Breast of the Prince, that 'Opposition to his Minister is Disaffection to him;' yet this becomes all Nonsense and Absurdity, more monstrous than the Doctrine of Transubstantiation, when attempted to be insinuated into the Belief of the People.

It is known unto all Men, that the Protestants of *Ireland* were universally and most zealously attached to his Majesty's Person and Government, when this present Administration first had its Commencement, nor is there at this Hour the least Cause to doubt but that this Spirit and Temper will continue the same after this Administration shall come to its Period: It is impossible that any thing can alter the affectionate Loyalty of the good Subjects of *Ireland*, but some fatal Alteration in the Cause which originally begot, and has hitherto cherished and augmented that affectionate Loyalty.

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The present royal Family succeeded to the Crown, because it was so settled by the Laws of the Land; but the Reason why such Transports of Joy accompanied this Succession on its first taking place, was because a most thorough Confidence had already been created, that, under their righteous and benign Administration, *Great Britain* and *Ireland* would soon be made the Praise or the Envy of every other Nation upon Earth.

And to their immortal Honour be it pronounced, because it can be pronounced with Truth, that the Event has most compleatly corresponded with this most joyous Expectation: Never had the Dominions of *Britain* and *Ireland*, and perhaps never has any other Country upon Earth so long enjoyed, in such full Significancy and Extent, the inestimable Blessings of a righteous free and legal Government; enjoyed them, not only with the full Consent of the two truly Patriot Princes, who have hitherto ruled over us, but, in respect particularly to his present excellent Majesty, enjoyed them, and at this Hour enjoy them, in consequence of his heroically exposing his own precious Life, and likewise a Life still perhaps dearer to him than his own, in vindicating and securing to his People, and their Posterity, those inestimable Blessings.

The Fact, in reality, is no other than this, nor does the Writer know any Reason why it should not be spoken out, that the principal Cause of the peculiarly zealous Attachment and Affection of his Majesty's Protestant Subjects of *Ireland* to the Person and Family of his present Majesty, was, and is, their having been invariably accustomed to contemplate his Majesty as at the Head of the noblest Body of Men upon Earth, all the truly liberal and magnanimous spirited Whigs of *Great Britain* and *Ireland*; himself a truly royal and unalterable Lover and Assertor of Liberty: No Body

will dispute but that the principal Characteristic of his Majesty, is likewise the essential Characteristic of a Whig, *non minus Libertatis alienæ, quam Dignitatis suæ memor*; it is thus the inimitable Roman Historian gives you, by one Stroke of his Pencil, a most lively Conception of the exalted Merit of an old favourite Emperor, in the first Age of that Commonwealth; and from that Age till now, every Man having that Spirit in him, and no Man wanting that Spirit, has been, or can be a Whig.

So long as so powerful a Cause as this shall remain, the Operation and Effects must likewise remain; and if, at any future Period, a Cause of this Nature should come fatally to alter, it is impossible but in Proportion the Effects must come likewise soon after to alter: Where Feelings are concerned, Words cannot long hide from Men the real Nature of Things; and therefore must it be alike for the Benefit of the Prince and of the People, that from Generation to Generation it should be for ever most clearly understood, that in spite of all Habits of Affection for Families, the liberal spirited Subject will always make the Distinction, where Nature and Sense have beforehand pointed out the Difference; and such will be the Language of every free-born Mind:

*Amicus Georgius tertius, quartus, aut quintus,
Sed magis amica Patria et Libertas Populi Britanici.*

‘A Descendant of *George* the First and Second,
‘for that very Reason, will always be dear;
‘but the Liberty of my Country, and the Prosperity of *Britain*, must still be much dearer.’

On the whole, when we behold an Author thus rising up, patronized by the Great, and struggling

struggling hard to fix an Imputation of Disaffection on some of the most dutiful Subjects that ever any Prince had, so zealously loyal, that the only Wish left for his Majesty to form, is, that all the rest of his Subjects were but as well affected as they; when we behold an Attempt, so groundless and odious, thus avowedly made, and accompanied with Circumstances of so extraordinary a Nature, is it possible not to suspect that some serious Mischief is impending, in which the King and these his truly right hearted Subjects may be equally involved.

It is not for an obscure and a nameless Writer to make any mention of Defiance; but it is readily left to the Heart of this Author, and to the Hearts of his Patrons, to bid Defiance to themselves, and to all the World besides, to assign any one single Circumstance, whereupon to ground this Imputation of Disaffection, except what shall be found fairly contained in the few following Articles; Articles which it is apprehended will be all readily confessed, and the only Articles; on the Side of the House of Commons and the People, which, from the Commencement of the present Administration till this very Hour, can, with the least Appearance of Truth and Justice, be brought to their Charge; and therefore, on these Articles the Merits of the Cause of this Country, in Opposition to all its Adversaries, are most readily rested.

First, It is most readily confessed, that the House of Commons and the Nation have, from the Beginning till now, testified a truly constitutional Reluctance against a permanent powerful Ecclesiastic, utterly unconnected perhaps, either in point of Interest or Family Alliance, with the Prosperity and Liberty of this Country, ever acquiring the

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the principal Direction of the civil Interests of this Kingdom; and also a like Disinclination, that a transient Secretary of a transient Lord Lieutenant should ever acquire the principal Influence and Leading in the House of Commons.

Secondly, It is also confessed, that the House of Commons and the Nation shewed a hearty Disinclination, that the Trade of this Country, in its most essential Article, the principal Source of our national Industry and Wealth, should be brought into such a State, as, however harmless in Intention, must in Fact have put it in the Power of its clandestine Enemies so fatally to hurt, as in time to destroy it.

Thirdly, It is confessed, that the House of Commons did testify their Disapprobation of a gross Mis-application of the public Money, committed by an Officer of the Crown, to the wasting of the public Money, and to the manifest Injury of his Majesty's Troops; and that they afterwards testified their Dissatisfaction with this Gentleman, one of their own Members, for being guilty of a Contempt of their Authority relative to a Reparation of this Injury, by expelling him the House.

Fourthly, it is confessed, that the House of Commons, did, this Session, resolutely and stedfastly refuse their Consent to divest themselves of what they were firmly convinced was their strictly constitutional and inherent Right, in regard to the Application of public Money, originally raised off the People, in Virtue of their Authority; a Right which could not be given up, without divesting this Country of every Security for a faithful Application of the public Money, but what, for the future, must altogether depend merely on the Knowledge and on the Will of the Prince.

And

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And finally, it is confessed, that it has been Matter of universal Regret to his Majesty's faithful Protestant Subjects of this Kingdom, that Means could have been found out to give his Majesty unfavourable Impressions of some of his ablest Servants, and others most loyal Subjects in this Country; and that these Subjects continue still to be held in high and universal Esteem and Affection by their Protestant Brethren, proportioned to their known Merit and unalterable Fidelity to his Majesty's Person, Family, and Government; a Fidelity to which, perhaps, there is not a single Protestant Subject in this Kingdom, who has had any Opportunity of knowing them, that would not, from a Sense of Justice, think himself obliged, in the strongest Terms, to bear his unfeigned Testimony.

If these, or any of these, Articles be justly chargeable with the least disrespectful Circumstance towards his Majesty's Person and Government, then shall it freely be confessed, that a most faithful and affectionately loyal House of Commons, and the equally well-affected universal Body of the Protestant Subjects of this Kingdom, are, unknown to themselves, become disaffected, in some magical Manner, to his Majesty and his Government: But if, on the contrary, all and each of these Articles must, of necessity, be acknowledged perfectly innocent, praise-worthy, and constitutional, then would this Author and his Patrons do well to look nearer home; for, if the Writer doth not grossly deceive himself, it has, in the Course of these Papers, been most clearly, and in all Points, demonstrated, that the present distracted State of this Country has had its whole Origin and Progress from quite a different Quarter, than either the late worthy Majority of the universally loyal
House

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House of Commons, or the general Body of his Majesty's most faithful and zealous Protestant Subjects of Ireland.

Had the Writer been aware that so compleat a Vindication of the Proceedings of the House of Commons, as has, within these few Days, been published, was so soon to come abroad, he would, probably, have saved his Readers the Trouble of the fourth Number of Remarks; though he is far from reflecting on his own Labour with regret, as so remarkable and general a Coincidence of Evidence, where there was no Communication, and especially in regard to so capital a Point, cannot but serve, in some measure, to give the fuller Satisfaction to the Public, that what has thus been laid before them must have its Foundation in TRUTH.

ERRATA in this NUMBER.

PAGE II. Line 17. *for this, read his.* P. 16. L. 23. *for did or not, read did or did not.*

F I N I S.

[25]

The Writer of the Letter, published in the Gazette of Feb. 16, 1754, having continued it in that Paper a considerable Time after an Answer had been given to it in a flying Half-Sheet, it is thought proper to reprint both the Letter and the Answer in the following Manner, to give the better Opportunity to the Public of judging how far this Letter tends to invalidate the Argument, drawn from the Instance of Sir Henry Tichburn, in the Third Number of the REMARKS:

TO THE PRINTERS of the DUBLIN GAZETTE.

SIRS,

THE Author of Remarks on a Pamphlet, intitled *Considerations on the late Bill for paying the National Debt, &c.* has, in his third Number, mentioned the Clause of the second Hearth-Money Act in favour of Sir Henry Tichbourne, in the Year 1666, as an Instance of an Appropriation of Money, which had been before granted to His then Majesty, *without the least Trace of any Parliamentary Acknowledgement of His Majesty's previous Consent*; but as he has thought proper to omit a material Proceeding, relative to this Affair, which will shew that this Bounty was humbly desired as a GIFT from His Majesty, and that the Heads of the Bill were not prepared by the House of Commons, it is but Justice to the Reader, to refer him to the Journals of the House of Commons, Vol. II. Pages 490 and 491, where he will find a Committee appointed "to wait on His Grace the Lord Lieutenant, and humbly to desire from the House, that His Grace would be pleased, upon the Transmission of any Bill into ENGLAND, for the further settling of the Revenue of Hearth-Money, to insert a Clause, for paying out of the said Revenue unto the said Sir Henry Tichbourne, his Executors, Administrators, or Assigns, the Sum of Two Thousand Pounds, AS A GIFT FROM HIS MAJESTY in Lieu of the said Wardship, and in Testimony of His Majesty's gracious Acceptance of the said Sir Henry Tichbourne's faithful and loyal Services."

What Argument therefore can be drawn from this Precedent, in Support of a *Constitutional Title and Right in the House of Commons, to send over the late Heads of a Bill in the Manner they did*, is submitted to the Determination of every intelligent Reader, and is here inserted as a Specimen of the Remarker's Candour. I am, &c.

W. B.

An Answer to a LETTER, published in the Gazette of Feb. 16, 1754, relating to the Money-Bill.

WHEREAS a Letter has been published in the *Dublin Gazette* of this Day, impeaching the Candour of the Author of Remarks, &c. in his Manner of representing the Article relating to Sir Henry Tichburn, in the third Number of said Remarks; it may be of some Use to the Publick to lay before them, in a few

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Words,

Words; the true State of this Matter: The Point to be proved by the Remarker was this; that the House of Commons, so far back as *Charles the Second*, claimed a Liberty in their own Right, of pointing out to his Majesty an Application of Money, antecedently granted to his Majesty, &c. in Perpetuity; and the Facts aduced by the Remarker in Proof of this Point were these two following:

‘First, that the House of Commons, in the Year 1662, directed their Committee to prepare a Clause to be inserted in a Bill, which they had formerly ordered to be prepared by this Committee, which Clause was, ‘for giving Satisfaction unto Sir Henry Tichburn, in Lieu of a Wardship granted unto him by his Majesty, in such Way and Manner as they shall think fit.’ The next Fact was, that in an Act of Parliament passed in this Kingdom in the Year 1665, there are these express Words, ‘that in Satisfaction of his Services and Losses; He, viz. Sir Henry Tichburn shall receive two thousand Pounds out of such of the Monies as are, or shall be, levied out of the Hearths, &c.’

Now let this Letter-writer answer, but pray let it not be in a News-paper, are not these two Facts in every Article and Circumstance true? — And if true, do they not prove to a Demonstration, that the House of Commons claimed the Right of pointing out to his Majesty, and of pointing it out by Heads of a Bill, an *Application of Money antecedently granted to his Majesty in Perpetuity*? Do they not likewise prove an actual *Appropriation of this Money by Parliament*, tho’ it had been granted to his Majesty in very absolute Terms three Years before? And doth not the first Fact clearly shew, that the House of Commons were the *first Movers* in Regard to such Application, and that far from making any parliamentary Acknowledgment of his Majesty’s previous Consent, there is not the least Trace at that Time of his Majesty’s ever having signified that he would consent; indeed, all Circumstances conspire to shew there never had been any such Intimation: And in Regard to the second Fact, is not the Act of Parliament utterly void of the smallest Traces of any such parliamentary Acknowledgment?

Here then we have every Circumstance requisite, so far as PRECEDENT can be requisite, to justify the Manner of Proceeding of our House of Commons, in sending over the Heads of the late Bill; nay, much stronger Circumstances than the late Case required; our present House of Commons did no more than bring in Heads of a Bill, in Regard to the Application of redundant Money, formerly, indeed, granted to the King, but granted, only *in Aid of other Funds*, for answering the Exigencies of Government for two Years, which were just then expiring, and in those Heads took no Notice of his Majesty’s previous Consent, which had been signified to them: The House of Commons in the Reign of *Charles the second* order a Clause to be inserted in Heads of a Bill for the Application of Money granted before to the Crown *in Perpetuity, without having had any Intimation*

of previous Consent, or any Imagination that such Intimation could in any Sort be requisite; looking on it as their undoubted Right to point out to his Majesty such Applications of Money, as they, the great Council of the Nation, thought useful, Money granted by themselves for the Uses of Government; all this must of Necessity stand acknowledged and confessed, for such stubborn Facts cannot be denied. Ay, says the Letter-writer, but still ‘*the Remarker has thought proper to omit a material Proceeding relating to this Affair*’; might he not omit, without *thinking it proper* to omit? But is this *Proceeding so material* as to make void, or in any Manner invalidate the above Proofs? If not, the Remarker must consequently stand free of all Censure, but that of not multiplying Quotations beyond what were necessary. However, the Letter-writer shall have abundant Matter of Conviction, I will not say of *Satisfaction*, in Regard to his Quotation from the Journal.

In order to this, He is to be instructed, ‘that at the Time we are speaking of, and long after, the Manner of Bills taking their Origin was very different from what it is now; few Heads of Bills arose from the Commons; some Bills were sent over from *England*; many were sent into the House from the Privy-Council; and we have several Instances of the House of Commons ordering *their Votes* to be carried to the chief Governor, to be put into the Form of a Bill, and then transmitted to *England*.’

And now we come to consider this important Quotation; ‘a Committee is appointed to wait on the Lord Lieutenant to desire that a Clause might be inserted in any Bill, then to be transmitted to *England*, for the farther settling the Revenue of Hearth Money, a Clause for paying out of the said Revenue, to Sir Henry Tichburn, a Sum of Two Thousand Pounds as a GIFT FROM HIS MAJESTY, in lieu of the said Wardship; and in Testimony of his gracious Acceptance of the said Sir Henry Tichburn’s faithful and loyal Services.’

Now doth this Letter-Writer imagine, the printing a few Words in capital Letters will be sufficient to beguile Men out of their Senses? Matters it a Rush to the present Question, whether the Application in itself was wise or otherways, whether it was meant for a Gift, or in Discharge of a Debt? Is it possible, that any Man could so far lose Sight of the Question, as not to see, that the whole Inquiry must of Necessity be resolved into these two Points, and into these only, whether we have not here a *parliamentary Application of Money granted to his Majesty three Years before*? And whether the House of Commons were not the *first and sole original Movers* of this Application? Besides, is it not ridiculous to attempt laying Stress on Words of Complement and Form, in Matters of this Sort? is it not the usual Language in our Acts of Parliament, even in our Acts for granting Money to the King, to *pray* and sometimes to *beseech* that it may be enacted, &c. would He not be a special Pleader, who should argue from hence that it is a Matter of Grace and Bounty in the Crown to accept of these Grants? True, it is here called

called a GIFT, but it is such a Gift, as the Act says, in Honour and Justice, it became his Majesty to confer; it is a Gift, which in this very Application from the House of Commons, is called 'Paying, in Lieu of a Wardship.' a Wardship, for which, as they take Notice, a Fine had been given to his Majesty. — But call it what you will, it is plain even from this Quotation, on which so much Stress is wanted to be laid, that the whole of this matter was *first moved by the House of Commons*, without the least intimation from his Majesty, who yet was to confer this Gift. — In the former Session, the House order in Heads of a Bill, in which it is expressly directed that this shall be inserted as a Clause. In the next Session, they send this Clause to be inserted by the Lord Lieutenant in a Bill which was then to be transmitted into *England*, in regard to the Hearth Money, determined, that one way or other it should certainly make Part of the Hearth Money Bill. And it is remarkable, that the Words of the Resolution of the Commons, which was then carried to the Lord Lieutenant, are the very Words in which this Clause is expressed in the Act of Parliament, only with this Variation, that the fine Capital Words of A GIFT FROM HIS MAJESTY are modestly left out. — Is there the smallest Difference between the one and the other of those Methods, in regard to the Merits of the present Question? Have we, *in either*, the least Intimation of his Majesty's previous Consent? Have we not, *in both*, the most express Proof that the House of Commons claimed it as their undoubted Right to point out to his Majesty, by Bill or Heads of a Bill, such *application of Money* as they, his Majesty's great Council, judged it became his Majesty in Honour and Justice to make? And was not this *Right* most firmly recognized by *passing the Act*?

No wonder that such an Instance as the present should prove a little Galling, but Galling as it is, some very different Manner from what has yet been taken, must be devised by the Advocates for *previous Consent*, before they can get themselves rid of it.

And now, fair and impartial Reader judge for yourself, doth not this very Quotation, in so extraordinary a Manner laid before the Publick, instead of invalidating, serve directly to Establish every thing that the Remarker, in his third Number, had undertaken to prove?

One Favour is earnestly desired of the Writer of this Letter, that if he judges it proper to instruct the Publick by any further Animadversions, he may chuse another Manner of sending them abroad.

The Remarker is well enough aware, that printing his Name, could add no Weight to his Cause; but if the Letter-writer will condescend to set him an Example, he will readily follow it, were it only to exhibit the Experiment how far the most insignificant Name, when aided by the Weight of Truth, will preponderate against any Name or any Authority without that Concomitant, how respectable soever.