THE

LORDS PROTEST,

November 18. 1740.

To which is added,

CONSIDERATIONS upon the Embargo laid on Provision of Victual.

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THE LORDS PROTEST.

Die Martis, 18 *Nov.* 1740.

THE Lord Chancellor reported his Majesty's Speech; and the same being afterwards read by the Clerk,

It was moved to resolve, That an humble Address be presented to his Majesty, returning him the Thanks of this House for his most gracious Speech from the Throne.

To congratulate his Majesty on his safe Return to his Regal Dominions; To assure his Majesty, that we will stand by him with our Lives and Fortunes, in the Prosecution of the just and necessary War in which he is engaged.

And as a further Proof of our Duty and Affection to his Majesty's Sacred Person, Royal Family and Government, to assure him, that we will exert ourselves in our high Capacity of Hereditary Great Council of the Crown (to which all other Councils are subordinate and accountable) in such a manner as may best tend to the promoting the true Interest of his Majesty, and our Country, in this critical Juncture.

Then it was likewise moved to order, That an humble Address be presented to his Majesty, to return him the Thanks of this House, for his most gracious Speech from the Throne.

To acknowledge his Majesty's great Wisdom, and his Adherence to the true Interest of his Kingdoms, in resolving to carry on this just and necessary War in the most proper Places, and in the most vigorous and effectual Manner, and in not suffering himself to be diverted or deterr'd from those Measures.

To give his Majesty the strongest Assurances, That if any Power should attempt to prescribe or limit the Operations of War against his declared Enemies, such an extraordinary Proceeding would not fail to create a just Indignation in us, and determine us to concur in all proper Measures for vindicating and defending his Dignity and Honour against any Insults, and frustrating any Designs formed against us.

To assure his Majesty, That this House will zealously stand by and support him, in adhering to the Engagements he is under for maintaining the Balance and Liberties of *Europe*, on the Event of the late Emperor's Death, as well as in the Prosecution of the present War.

To express our unshaken and unalterable Fidelity and Affection to his Majesty's Person and Government, and our ardent Wishes, that all his Enterprizes for maintaining the Honour of his Crown, and the Rights of his People, may be blessed with Success.

And a Question being stated on each Proposition,

After Debate,

The previous Question was put, Whether the Question first stated shall be now put?

It was resolved in the Negative;

Contents, 38. }
Not Cont. 66. }

Dissentient

Dissentient

Macclesfield.

1. Because we conceive, that a Motion of this Nature ought not to have been laid aside by the previous Question; but we apprehend it would have been more consistent with the Honour and Dignity of this House to have passed it in the Affirmative; since it contained the strongest Assurances of our Duty to his Majesty, and of our Zeal to support him with our Lives and Fortunes in the Prosecution of this just and necessary War; moreover, it had been universally allowed in the Debate, that the ancient Usage of this House was to return immediately a general Address of Thanks only for the Speech from the Throne, and to appoint a future Day for taking the said Speech into Consideration: By which wise Method of proceeding, this House had an Opportunity of forming their Judgment and offering their Advice to the Crown, upon the several Matters contained in the Speech, after due Enquiry and mature Deliberation.

2. Because, though the Speech from the Throne is in Parliament justly considered as the Act of his Ministers; yet a Motion preconcerted, if not drawn by themselves, echoing back the Particulars of the Speech, is, as we conceive, a modern Expedient to procure a precipitate Approbation of Measures which might not be approved upon better Consideration. It was indeed alledged in the Debate, in support of this Practice, that it was introduced during the late War, in the Administration of the late Earl of *Godolphin*; but we should also consider the Reason of it (we heartily wish we had now the same) that the

the Zeal of the House was then every Year animated by the glorious Successes of the Queen's Arms under the Command of the Duke of *Marlborough*: And though it is always admitted that these hasty Addresses do not preclude the House from future Enquiries or Censures; yet should Censures, in consequence of such Enquiries, become necessary, they would produce an Inconsistency between the first Address and the subsequent Resolutions, and argue a Levity highly unbecoming the Wisdom and Dignity of this House.

3. Because one Part of this Motion, the Congratulation upon his Majesty's safe Return to his Regal Dominions, could be liable to no Objection, but seemed at this Time peculiarly reasonable, since it was evident to the whole Kingdom, the Sailing of the Fleet, which had been delayed so long, was the immediate Effect of his happy Return.

4. Because we conceive, that our assuring his Majesty that we would exert ourselves in our high Capacity of Hereditary Great Council of the Crown, would have given Encouragement to his Allies, Confidence to his Armies, and Satisfaction to his Subjects, especially in this critical Conjuncture, wherein the Advice of this House is more than ever necessary; since, by the Inaction of this last Year in all Parts (except wherein Admiral *Vernon* commanded) notwithstanding the vast Fleets and Armies maintained at so immense a Charge, this just and necessary War seems hitherto to have been carried on by the *same Spirit* and *Advice* which so long delayed the entering into it; and we conceive that the strictest Enquiries into such Conduct are the most probable Means of redressing our Grievances at home,

home, and bringing the War abroad to a speedy and happy Conclusion.

Buccleugh,	*Talbot,*	*Carlisle,*
Stanhope,	*Willoughby de Br.*	*Denbigh,*
Hallifax,	*Greenwich,*	*Bathurst,*
Chesterfield,	*Carteret,*	*Craven,*
Bridgwater,	*Shaftsbury,*	*Thanet,*
Winchelsea & Not.	*Clifton,*	*Gower,*
Beaufort,	*Haversham,*	*Aylesford.*
Litchfield,		

Then it was proposed to insert in the second stated Question, immediately before the last Paragraph, the Words of the first Question, except those in the Parenthesis.

Which being objected to,

The Question was put, Whether those Words shall be inserted?

It was resolved in the Negative;

Contents, 35.
Not Cont. 62.

Dissentient

Because, when these Words made Part of the Question first moved, they were allowed by every Lord, who spoke to the Debate, to be proper and unexceptionable, and the following Parenthesis only *(to which all other Councils are subordinate and accountable)* was objected to, as liable to a Misconstruction

ſtruction in another Houſe: We cannot therefore but be ſurpriſed, that when this Queſtion, freed from that Shadow of an Objection, (as we conceive) was offered as an Amendment to the Motion for an Addreſs, it ſhould have been rejected; and the more ſo, ſince the Negative paſſed upon it may be conſtrued to imply, what we are perſuaded no Lord in this Houſe can intend, (whatever others may wiſh) a Reſolution not to *enquire*, *adviſe*, or *cenſure*, even though *juſt Suſpicions*, *imprudent Councils*, or *criminal Meaſures* ſhould require it.

Bridgwater, *&c.* — *Gower*, *&c.* — *Hallifax*, *&c. as before.*

CON-

CONSIDERATIONS

UPON THE

Embargo on Proviſion of Victual.

IT is to be conſidered, whether the Intereſt of Contractors for Proviſion for the Publick, was not the Motive which firſt ſtarted the Notion of the Embargo upon Victual, and whether the ſame Intereſt be not now a grand, though ſecret Motive of its Continuance *. Theſe Contractors being very ſenſible, that the Demand abroad for *Iriſh* and *Engliſh* Beef, muſt greatly enhance the Price, and that there was no way for them to keep it down, but by endeavouring to confine theſe Com-

 modities

* The Houſe may have a very curious and ſurpriſing Knowledge of this Tranſaction, by ordering the proper Officers to lay before them the Contracts made in the Years 1739 and 1740, by the Victualling-Office, together with the Papers and Applications which relate to this Affair, as far as it concerns the *Iriſh* Proviſions, delivered or made to the ſaid Commiſſioners for Victualling, the Lords of the Admiralty, and ſome other Offices.

Which, if fairly obtained, will enable the Houſe to judge, whether a Care and Tenderneſs to two Contractors have not plainly been the ſole and true Cauſe (whatever popular Pretences are thrown out) of all the ſevere Meaſures, with reſpect to Trade, already ruinouſly executed upon *Ireland*, and now projected for the whole Nation.

modities to their own Market, had Addreſs to effect their End in part, by obtaining the Embargo in *Ireland*. Which they have good Reaſon to labour to have continued there, and farther extended: For thus they will become abſolute Maſters over a great Part of the Land-holders in *England*, as they have been for ſome Time over above half the Land-holders of *Ireland*, who are obliged to ſell at the Price they pleaſe to give; the exported Produce of that Country, in the Cattle-trade, being near 600,000 *l. per annum*, excluſive of any Commodity derived from Sheep; and the whole Value of the Export of that Kingdom, not exceeding 1,050,000 *l.* which are Facts extremely certain, and taken from the Books of the Cuſtoms there, upon a Parliamentary Inſpection.

It is to be conſidered, whether any great Men were induced to favour this Scheme from any private Advantages which they were to receive from the Contractors, in conſideration of it; and it ought to be underſtood, that this is the faireſt Opportunity for the greateſt Money-jobb that may ever offer again to any Man in Power.

It ought to be farther conſidered, when the Bill offered to Parliament for regulating this Affair ſhall be examined, whether the Hopes of extraordinary and partial Powers to be granted to the Crown by it, might not be a principal Reaſon for inſinuating the Neceſſity of this Meaſure, eſpecially at this Conjuncture, when a new Parliament is to be ſhortly called.

It ſhould be obſerved, what Induſtry was uſed from time to time in the publick Papers, to prepare the Minds of the People in favour of an Embargo, particularly with reſpect to the *Iriſh* Beef: And whether

ther this does not ſeem to have proceeded rather from the Spirit of private Intereſt, than a Zeal for the publick Good; eſpecially as the latter End was ill anſwer'd, by alarming our Enemies with the Apprehenſion of an approaching Prohibition, and could tend only to haſten them in making their Proviſion, before they were prevented.

It is to be conſidered, what can be the Reaſons or Views of a certain Gentleman, in preſſing to do that by Act of Parliament, which by the known Conſtitution of the Kingdom may be done, and has been done by an allowed Prerogative.

It is to be conſidered, why *Ireland* is to be mentioned by the Bill, ſince the Prerogative has already had in that Country a full Effect without a Bill; and whether the doing this by an *Engliſh* Law, being neceſſary, will not create Diſcontents there, which had better be avoided, eſpecially at this Conjuncture.

It is to be conſidered, why *Ireland*, which has the ſame *Magna Charta* and Common Law with *England*, ſhould be ſubjected to an Embargo by Prerogative, if that Embargo was illegal; and if it was not illegal, why *England* was not ſubject to it at the ſame Time.

It is to be conſidered, why that Embargo upon *Ireland* was laid upon the whole Trade, to the immenſe Damage of that Country, notwithſtanding the Relaxation of it in ſome Inſtances: And whether the doing it in that Way, did not evidently tend to create ſervile Applications, great Loſs of Time and Opportunities, great Dependence upon Men in Power, and poſſibly great Corruption: And whether it is not an Abſurdity to ſuppoſe the Prerogative ſufficient to exerciſe a general Embargo upon the whole Trade, and inſufficient to do it upon a few Branches only.

It is to be conſidered, that the Embargo in *Ireland* was laid at a Conjuncture above all others fatal; the Rents of that Country being chiefly made during the Slaughter Seaſon, which is in the Months of *October*, *November* and *December*.

It is to be conſidered, why the Embargo was laid after the *French* and *Spaniſh* Fleets were ſailed; and if neceſſary at all, why not before.

It is to be conſidered, whether it can be ſuppoſed that the provident Adminiſtration of *France* and *Spain* would have hazarded the Succeſs of ſo great a Deſign, and the Loſs of ſo great an Armament, to an Event which they knew to be ſo much in our Power, as the Embargo upon *Iriſh* Beef: Whether therefore it could be reaſonably ſuppoſed, that this Meaſure, which has been talk'd up as ſo important, could have taken any ſtrong Effect.

It is to be conſidered, whether any Man can with any Appearance of Reaſon ſuggeſt, that this Embargo could have had any better Effect than to occaſion ſome Diſtreſs among the *French* and *Spaniſh* Forces, to oblige them to be contented with a more ſpare and leſs agreeable Diet, or to be at ſome greater Expence to procure Proviſion; and whether any Man can be ſo ſanguine to believe, that we ſhall render them *unfit for Action and Service* by this Means.

It is to be conſidered, whether, *if they are ſtill fit for Action and Service*, the Degree of Diſtreſs we ſhall create to them will be of any Advantage to juſtify ſo extraordinary a Meaſure; and whether, when it is rightly underſtood by the Publick, they can think it ſufficient to balance the extravagant Loſs it will occaſion to *Ireland* and to our own Colonies.

It is to be conſidered, what this Loſs will be; whether it will not occaſion a total Stagnation of Trade

Trade in ſome of our Colonies; whether Proviſions exported from *Ireland* are not annually worth 600,000 *l.* and whether it be poſſible that any Remedy can be applied to the Diſtreſs of that Nation, occaſioned by this Embargo, when half the Beef they export is of ſo bad a kind, that no People can conſume it but the *French*; and conſequently, that if *England* were ever ſo willing to relieve *Ireland*, ſhe cannot buy that Product.

It is to be conſidered, how unequally this Blow muſt fall, and that this Loſs will lie in a manner wholly upon one fourth Part of *Ireland*, above three fourths of the exported Beef, *&c.* ariſing from the Province of *Munſter* only.

It is to be conſidered, what a deplorable Ruin muſt attend the fourth Part of any Country, by a certain annual Loſs of at leaſt 300,000 *l.* where the Rents of that whole Country amount but to 1,700,000 *l.*

It is to be conſidered, whoſe Loſs this in the End will be; and whether it will not be the Loſs of *England*; ſince it is demonſtrable that *England* gets all the Balance of the Trade of *Ireland*, as appears from hence, that the current Species of *Ireland* is certainly not augmented for twenty Years paſt, tho' the Balance of Trade is known to be more than 400,000 *l. per annum* in her favour.

It is to be conſidered, whether the Growth of Wool, and the woollen Manufactures of *Ireland*, if they are ſo prejudicial to the woollen Trade of *England*, as ſome would popularly ſuggeſt, will not be enlarged to the Prejudice of *England*, by driving the *Iriſh* out of a Trade, which now employs ſo great a Portion of their Land.

It

It is to be considered, what was the Practice of this Nation in all our former Wars; and upon what Motives it was, that, in the Reign of *Charles* II. in 1667, when *England* was at War with *Holland*, *France*, and *Denmark*, at a Period when the Prejudices against *Ireland* first had Rise, and were most violent, it was resolved by the Council of *England*, that the *Irish* should export their Beef and Provisions to the Enemy; in Pursuance of which Resolution, a Proclamation from the Lord Lieutenant of that Kingdom was then issued to that Purpose.

It is to be considered likewise, upon what Motives, in the Wars of King *William* and Queen *Anne* with *France*, the same Indulgence was shewn to *Ireland*, and their Exportation privately encouraged by the Government of *England*, notwithstanding any general Embargoes laid by Act of Parliament.

It is to be considered, whether the *Dutch*, the wisest Nation in the World with respect to Commerce, ever thought it advisable to refuse to supply their Enemies with any Commodity whatsoever.

It is to be considered, now the Scarcity of Grass and Hay is so excessive, what can be done with our Cattle if they are not exported; and whether it be better that they should perish at home, than be sold to our Enemies.

It is to be considered, whether Money be not the Sinew of War; and whether to deny ourself the Profit of a very advantageous Trade, be a natural Way to prove successful against our Enemies.

It is to be considered, whether one of the Calamities of War is not the Interruption of our Commerce.

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Whether to render this greater than it must necessarily be, can deserve the Encomiums which a certain Person and his Adherents bestow upon this Measure.

Whether one of the most valuable Circumstances of Admiral *Vernon*'s glorious demolishing of *Porto-Bello* has not been thought, by all knowing Men, to be the opening of that Coast to our Merchants, and the Means thereby given to supply the *Spanish America* with Commodities of this Country.

Whether there is any Maxim so solid, and so incapable of being controverted with respect to Trade, as that it ought never to be restrained.

Whether the eternal Consequence of Restriction in Commerce has not been the Diversion of it into a new Channel.

Whether the Restraint upon the Exportation of Iron, laid by *Sweden* some Years ago, has been recovered by *Sweden*; and whether *Spain* was not an immense Gainer by it.

Whether the Restraint upon the *Irish* Trade in Cattle, imposed by *England*, did not throw the Beef-trade into *Ireland*, and give it to that very Country which was imprudently designed to be excluded from it.

Whether the Prohibition of the *Irish* to carry on the woollen Manufacture, did not throw the woollen Trade as well out of their Hands as ours, and establish the same in all Parts of *Europe*.

Whether any Folly be more exploded, if fatal and general Experience can explode a Folly, than the Supposition, that any Nation can exclude the rest of the World from any Branch of Commerce.

Whether it can be supposed that Providence has been

been ſo ſevere upon any Country, as to put it in the Power of another to ſtarve her Inhabitants.

It is to be conſidered, whether it is poſſible to conceive, that any Nation abounding in Wealth, can fail to be ſupplied with Neceſſaries for Money.

It is to be conſidered, whether *Denmark*, *Jutland*, *Holſtein*, and other Places in the *Baltick*, which now export great Quantities of live Cattle, may not ſalt their Beef, and ſupply *France* and *Spain* with it; and whether they will not keep that Trade when they have once experienced the Advantage of it.

It is to be conſidered, whether *Hungary*, *Flanders*, and *France* itſelf, may not, upon Encouragement, ſupply a Part.

It is to be conſidered, whether the Foreſts of *France* and *Germany* may not ſupply great Quantities of Pork; and whether that Proviſion will not anſwer the End of Beef.

It is to be conſidered, whether *Holland* may not ſupply vaſt Quantities, particularly of Pork, from *Germany*, by means of the navigable Rivers which flow from thence through that Country.

It is to be conſidered, what Effect the Lucre of this Branch of Trade may have upon the Councils of thoſe Nations which may gain it from us; and whether *France* may not acquire a dangerous Influence over ſome of our beſt Allies by that Event.

It is to be conſidered, nay it is to be known, that there is a Method of ſalting and curing Cattle in the very hotteſt Latitudes, and under the Line itſelf, though the Secret is as yet in few Hands; and whether Neceſſity and Money will not open that Secret to *France* and *Spain*.

It is to be conſidered, whether, in all ſuch Caſes, many

many Places for Supply, and Means of it, may not be found, which no preſent Foreſight can ſuggeſt.

Whether a very hard Seaſon, and a Dearth of Grain abroad, is not, by all thinking Men, apprehended as a fatal Incident to *England*, though ſhe is not herſelf a preſent Sufferer by it, and may be an immediate Gainer by the Exportation of greater Quantities of Corn; ſince the Alarm it gives to foreign Nations, tends to put them upon Meaſures for enlarging their Tillage, and finding Means to ſupply themſelves at home with Grain; which *France* has lately done, by founding a Company, and giving great Advantages and Premiums, for raiſing Rice in that Country.

Whether therefore it may be thought adviſable to urge this Diſtreſs in any kind; and whether it is not adding an Incentive to their Endeavours in this Way.

Whether, from this juſt Conſideration, all Embargoes, or other Difficulties upon Exportation, are not, in the Nature of the Thing, injurious and abſurd.

Whether it is beneath a Man of Senſe, upon better Conſideration, to reject Opinions, however warmly he may have eſpouſed them, before the State of the Queſtion had been throughly canvaſſed.

Whether therefore there may not be great Hope, that the Act relating to the Embargo will never paſs.

And if it ſhould paſs, 1. That it may relate to Corn only, a Reſtraint upon which ſeems to be juſtified, for the preſent, by no other Reaſon but the great Want of it at home, which our late ill Seaſons threaten.

2. That it ſhould not extend either to *Ireland* or the Plantations, who will be infallibly diſtreſs'd beyond Example, and almoſt to utter Ruin by it.

3. That if it muſt paſs, it ſhould be general as to every diſtinct Species, to avoid Partiality, and Increaſe of Miniſterial Power.

4. That it ſhould be in the Power of the Crown to relieve it in any one Branch of Exportation, provided the Relief or the Reſtraint be general as to the particular Branch; becauſe it may be neceſſary to prevent the Exportation of Corn, and at the ſame time fatal to hinder that of other Proviſions.

5. That Care be taken to allow the Export of Corn to *Ireland*, either from the Plantations or *England*; without which *Ireland*, who does not grow Corn enough for her home Conſumption, and is now in great Diſtreſs from the Loſs of Potatoes by the Froſt, may greatly ſuffer by Famine, eſpecially if this Winter ſhould be attended with much ſevere Weather.

Upon the Whole, it is to be hoped that Men in Power, if they ſhould be convinced by theſe Conſiderations, that they have not deſerved the Applauſe which has been raſhly given to this Meaſure, and that it is really deſtructive and dangerous, will be generous enough to reſign their Pretenſions to this Glory, rather than ſacrifice the Trade and Intereſt of theſe Dominions, by maintaining their firſt Opinion.

POST-

POSTSCRIPT.

It is actually now known, that the *French* have contracted already for an annual Supply of 6000 Tuns or 60,000 Barrels of Beef from *Jutland*, at the Rate of 200 wt. *per* Barrel, which is within 20,000 Barrels of the greateſt Quantity ever taken by them from *Ireland* in Times of Peace; ſo that in all Probability an irrecoverable Blow is already given to that Branch of Trade: And they have actually contracted with *Holland* for a farther Quantity.

Certain Advices are received, that the *French* Fleets are actually in *America*; which may ſerve ſufficiently to evince, that ſome Perſons have boaſted too much of their Sagacity in impoſing the Embargo: The great, and indeed only plauſible Pretence for it, being, to prevent their Navigation thither at this critical Conjuncture, which it was confidently affirmed it would effect.

This was foretold at a Time when the Prejudices in favour of the Embargo were too ſtrong to admit Credit to that Suggeſtion. It is to be wiſhed, that the farther Prophecy contained in this Paper may not likewiſe be moſt fatally accompliſhed.

FINIS.