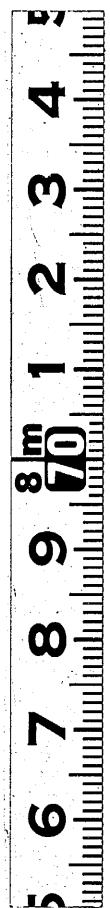


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THE  
LORDS PROTEST,

FEBRUARY 26. 1740-I.

L O N D O N,

Printed in the Year MDCCXLI.



[ 3 ]

T H E

## LORDS PROTEST.

*Die Fovis, 26 Februarii 1740-1.*

**T**HE Order of the Day being read for the second Reading of the Bill, intituled, *An Act for the better securing the Freedom of Parliaments, by limiting the Number of Officers in the House of Commons,*

The said Bill was read a second Time ;

And it being moved to commit the Bill,

The same was objected to.

After Debate,

The Question was put, whether the said Bill shall be committed.

It was resolved in the Negative :

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*Dissentient**Northampton, Shaftsbury, Stanhope,  
Clifton,*

I. BECAUSE we conceive, that our Constitution itself points out this Bill as one of its principal Securities, a due Poize and Independency of the three several constituent Parts of the supreme legislative Power being required by the Spirit of our Constitution, and absolutely necessary to its Existence: If any one of these becomes dependent on the other, the Constitution is dangerously altered; but if any two become dependent on the third, it is totally subverted, and the wisest Establishment that ever was formed, of a free Government, shrinks and degenerates into a Monarchical, an Aristocratical, or a Democratical Faction. We therefore think we cannot be too careful in providing against whatever may, at any Time, affect this just Poize and necessary Independency of the three Estates; and this Caution seems the more requisite now, when, from the inevitable Variation of Things, Employments are become exceedingly numerous, and are yet further artfully split, divided, subdivided, and increased

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creased in Value, in order to add both Extent and Weight to their Influence. Two hundred Employments are distributed in the present House of Commons; a dangerous Circumstance, and which, if it could have been foretold to our Ancestors, even in the End of the last Century, the Prediction would have been rejected by them as chimerical, or, if believed, lamented as fatal; and should the Number of Employments continue to increase in the same Proportion, even we may live to see, for want of this Bill, a constant Majority of Place-Men meeting under the Name of a Parliament, to establish Grievances instead of redressing them, to approve implicitly the Measures of a Court without Information, to support and skreen the Ministers they ought to controul and punish, and to grant Money without Accompt, or, it may be, without Bounds; in which Case the remaining Forms of our Constitution would, by creating a fatal Delusion, become our greatest Grievance.

2. THO' we do not absolutely assert, that Employments necessarily must, yet we cannot suppose that they never will influence the Votes and Conduct of the Gentlemen of the House of Commons, for such a  
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Supposition would be equally conclusive against all the Acts of Parliament now in Force, limiting the Number of Officers of any Kind in that House; and, in a Case of such Importance, we think it would be the highest Imprudence to trust the very Being of our Constitution to bare Possibilities, especially if an Experience, which we rather chuse to hint at than to enlarge upon, should give us just Reason to suspect the former Parliaments have felt the Effects of this baneful Influence, almost all the Persons in Employments having voted invariably on the same Side of the Question, often against the known and signified Sense of their Constituents, and sometimes perhaps even contrary to their own private Declarations; and no sooner did any presume to deviate from the ministerial Tract, than they were divested of those Employments that failed of their intended Influence. But admitting that the present House of Commons has kept itself most untaintedly pure from such Pollution, yet we think it necessary not to expose future Parliaments to such a Trial, nor the Constitution to the Uncertainty of the Decision.

3. BECAUSE, tho' it should be granted that this Bill would have restrained, in some  
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Degree, the Liberty of the Electors, that Objection has no Weight upon this Occasion, every Law being in some Degree a Restraint upon the natural Liberty of Man, but yet justly enacted, where ever the Good of the whole ( which should be the Object of every Law ) is promoted thereby; and we apprehend, that this Restraint is of such a Nature, that those only will be uneasy at it, who intended to abuse the Liberty. The Votes of the Electors of *Great Britain*, if unbiassed, would rarely concur in the Choice of Persons avowed Creatures of a Minister, known Dependents on a Court, and utterly unknown to those who elect them; but if in any Age, when Luxury incites Corruption, and Corruption feeds Luxury, there is too much Reason to fear that the People may be prevailed upon in many Places, by a pecuniary Influence, to give their Votes to those whom their uninfluenced Sentiments would reject with Indignation or Contempt, we think it necessary to lay this just and constitutional Restraint upon the Liberties of some, as the only Means to preserve the Liberties of all. By former Acts of Parliament, the Electors are already debarred from electing Persons in certain considerable Employments; and in the Act for preserving  
our

our Constitution, by settling the Crown upon the present Royal Family, it was enacted, that no Person whatever in Employment should be capable of being chosen a Member of the House of Commons; such was then the Spirit of Liberty, that even this total Exclusion could not be refused, nor could the Repeal of it afterwards be obtained without enacting a Limitation of the Number of Place-Men allowed to sit in the House of Commons, and a new Election of every Person, who, whilst he was a Member of that House, should accept of any Employment under the Crown; as likeways a total (we wish we could say effectual) Exclusion of all Persons holding Employments erected since the passing of that Act: And there's no Reason to doubt, but that the same Spirit of Precaution would, upon the same Constitutional Principles, have been carried much further at that Time, could it then have been foreseen or imagined, that the Exclusion of some Civil Officers would have been rendered useless by the Introduction of so many Military Ones; and that so many Persons in Employments infinitely inferior, both in Rank and Profit, to those excluded by these several Acts, could ever have been, by any Means, elected into Parliament;

ment; and indeed it seems to us highly incongruous, that inferior Clerks and Attendants of Offices, who have not Seats in Presence of their Masters, should be admitted to have Seats in the Legislature, and there become the Check and Controul of their Masters themselves.

4. BECAUSE we do not apprehend that the Freedom of Parliament is now in the least secured by the Obligation laid upon all Members of the House of Commons, who accept any Employment under the Crown, of being re-elected, Experience having shewn us, that this seeming Security is, for the most Part, become ineffectual, there being very few Instances of Persons failing in such Re-elections, tho' utter Strangers to their Electors; and it is natural to suppose, that, when the Means of corrupting are greater, the Success of a Candidate, recommending himself by Corruption only, will not be less.

5. BECAUSE we observe with Concern, that a Bill of this Nature has been already thrice rejected by this very House of Commons, and not been allowed to have been committed, so as to have it known how far it was proposed to extend; which, in our

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Opinions, implied a firm Resolution not to admit of any further Exclusion of Employments whatever; whereas, in this last Session of this Parliament, this Bill was sent up to us, after having passed thro' all the Forms of the other House without the least Opposition. This, we conceive, can only proceed, either from their Conviction at last of the Necessity of such a Bill, of which they are surely the proper Judges, or in Compliance with the almost universal Instructions of their Constituents themselves, whose Voice, we think, ought to have some Weight even here; or, lastly, to delude their Constituents themselves, by tacitly consenting to what they were told or hoped this House would refuse, and, in this Case, we apprehend, that a Confidence so injurious and dishonourable ought to have been disappointed, from a just Sense of the Contempt thereby shewn of the Credit, Weight and Dignity of this House.

6. BECAUSE we think it particularly reasonable, so near the End of this Parliament, to provide for the Freedom and Independency of the next; and as we consider this Opportunity as the only one we are likely to have of some Years, at least, to do it, it is with the greater Concern that

that we see this Bill thus laid aside, rather by a Division than a Debate, and by Numbers rather than Arguments; but however unsuccessful our Endeavours have been for the future Security of this Constitution, however unavailing our Desire of Enquiry into past and present Transactions, however fruitless our Attempts to prevent future Mismanagements by a Censure of the past, and the Removal of the Author of them, we have at least this Comfort, of transmitting our Names to Posterity as dissenting from these Measures, of which the present Age sufficiently testifies its Dislike, and of which the next may too probably feel the fatal Consequences.

<i>Macclesfield,</i>	<i>Abingdon,</i>	<i>Masham,</i>
<i>Bruce,</i>	<i>Greenwich,</i>	<i>Talbot,</i>
<i>Hereford,</i>	<i>Gower,</i>	<i>Denbigh,</i>
<i>Aylesford,</i>	<i>Chesterfield,</i>	<i>Carlisle,</i>
<i>Bridgewater,</i>	<i>Mansel,</i>	<i>Cobham,</i>
<i>Warrington,</i>	<i>Hallifax,</i>	<i>Haversham.</i>
<i>Litchfield &amp; Coventry,</i>	<i>Foley, for all the above</i>	
	Reasons, except the last.	

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The first part of the report is devoted to a  
 description of the general situation in the  
 country. It is followed by a detailed  
 account of the various departments and  
 their respective activities. The report  
 concludes with a summary of the main  
 findings and a list of recommendations.  
 The following table shows the results of  
 the various departments for the year  
 1957.

Department	1957	1956
Administration	100	95
Finance	110	105
Education	120	115
Health	130	125
Industry	140	135
Agriculture	150	145
Transport	160	155
Communication	170	165
Foreign Affairs	180	175
Internal Security	190	185
Justice	200	195
Other	210	205