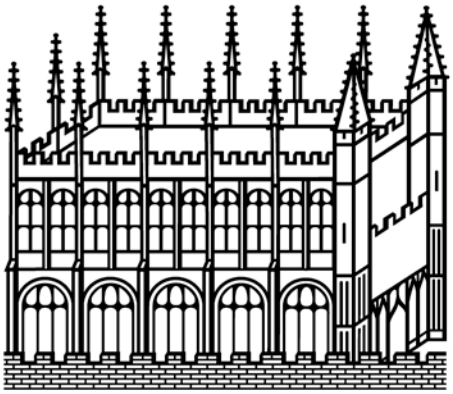

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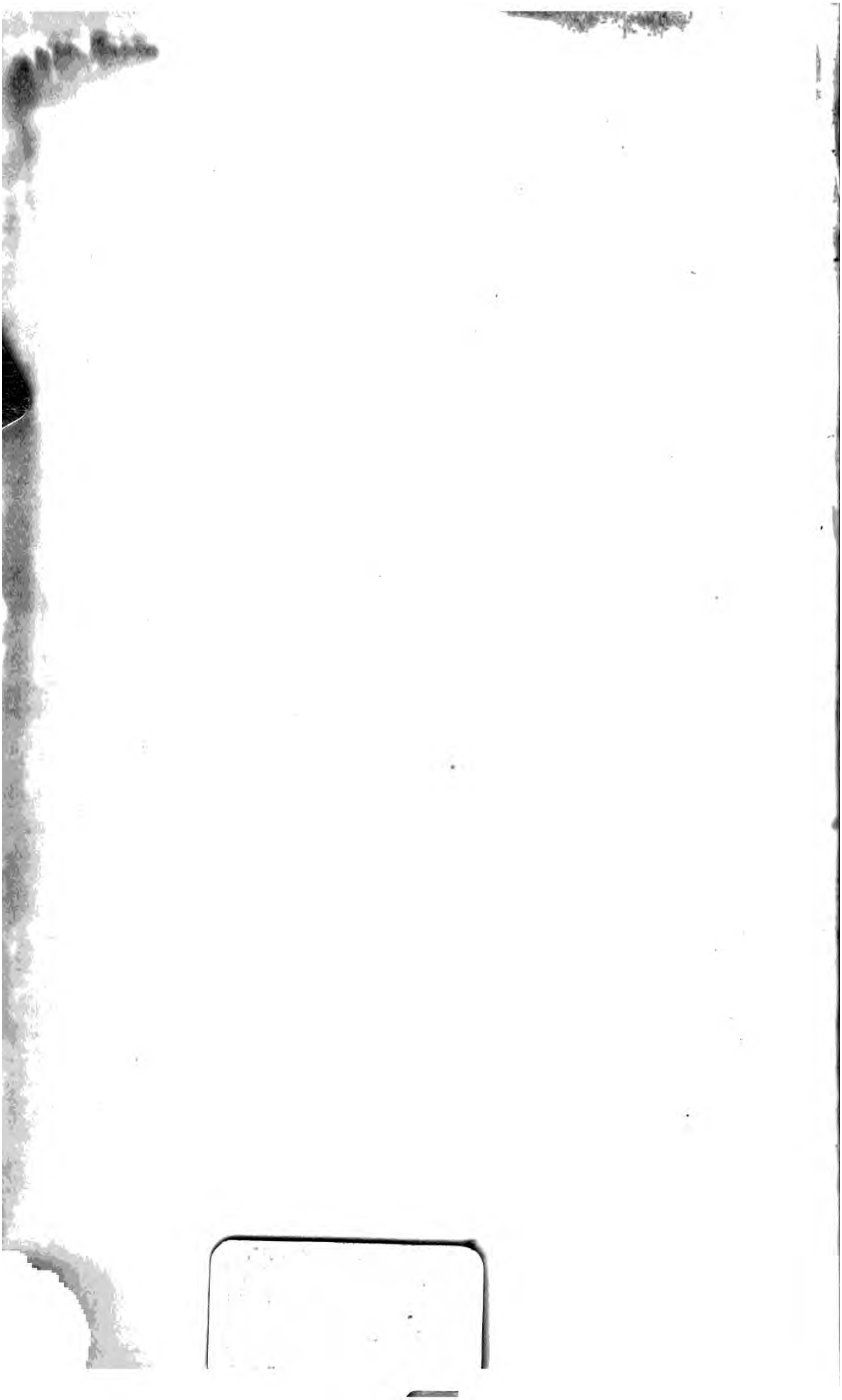

OF THE

USE and ABUSE

OF

PARLIAMENTS;

In Two

Hiſtorical DISCOURSES,

VIZ.

I. A General View of Government in *Europe.*

II. A Detection of the Parliaments of *England,* from the YEAR 1660.

In TWO VOLUMES.

ENGLAND can never be Undone but by a PARLIAMENT.

A *Maxim of the great Lord* BURLEIGH's.

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TO

The Serious Conſideration

OF THE

People of ENGLAND;

Theſe DISCOURSES

ON THE

USE and ABUSE of Parliaments,

ARE,

In the moſt earneſt and affectionate Manner,

Recommended;

That ALL may know the TRUTH;
And that the TRUTH may make us FREE.

Advertiſement.

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

A

GENERAL VIEW

OF

GOVERNMENT

In EUROPE.

INTRODUCTION.

SIR,

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

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

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

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

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

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

The Civilians, with their *Bartolus* and *Baldus*, are not to dictate to us on this Occaſion. Theſe were bred out of the Corruption of the *Roman* Liberty; and were Inſtruments of Servitude from the Beginning. Their Work was, by hook and crook, to rap and bring all under the Emperor's Power; that was their Study, that their Province. But they were always ignorant of the Practices of better Times, and utter Strangers to the juſt Rights of a Free-People; their Rules

and

and their Maxims were, in effect, no other, than ſo many Stripes, ſo many Marks, and items of Slavery to the Subjects.

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

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

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

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

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

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

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

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

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

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

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

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

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

In like manner, where-ever *Chriſt* is preached, the Soul-ſaving Doctrine in no wiſe

wiſe operates upon the Policy or civil Conſtitutions; but leaves thoſe Affairs to be influenc'd by the ordinary Prudence and Diſcretion.

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

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

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

SECT. I.

Of the Origine, Power and Antiquity of Parliaments.

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

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

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

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

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

The

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

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

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

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

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

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

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

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

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

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

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

Ζεὺς ᾗ Θεῶν ἀγορὴν ποιήσατο τερπικέραυνος.
Ἀκροτάτη κορυφῇ πολυδειράδος ἀλύμποιο.

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

of the Trinity, to conſult upon that arduous Affair.

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

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

Τοίσιν δ' ἀγορὰι βουληφόροι, οὐδὲ θέμιστες.

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

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

Nor

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

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

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

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

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

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

and

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

SECT. II.

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

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

with a *nemine contradicente* for *Vercengentorix.*

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

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

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

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

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

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

When

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

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

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

to

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

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

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

Concelebranda patrum ſolenni curia cœtu,
Curia Roncaliis jampridem indicta coïret,

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

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

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

Concilium Procerum toto dé corpore regni
Convocat.

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

Anno

Anno 772.

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

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

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

Anno 775.

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

Elſewhere,

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

Anno 775.

Publicus in Paderbrunon *Conventus habetur.*

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

Rex

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

Anno 770.
Conventum placiti generalis habere,
Cum ducibus ſe velle ſuis denunciat illic.

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

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

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

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

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

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

The *French*, incorporating and growing one People with the former Inhabitants, had a much eaſier Province; they ſettled, and purſued their native Cuſtoms and Forms of Government, nor met with that Difficulty and Oppoſition which in this Nation attended the *Engliſh* and *Saxons*. Theſe had a much harder Game to play. Theſe could in no wiſe

wiſe fix, or find any ſure Footing, without firſt clearing their Way, and driving the *Britons* up by themſelves, into a Corner of the Land.

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

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

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

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

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

SECT. III.

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

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

Therefore

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

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

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

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

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

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

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

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

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

poſt

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

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

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

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

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

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

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

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

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

Amongſt the Fallacies and Cheats of State, whereby the rich Men may impoſe upon the

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

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

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

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

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

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

that their Act is virtually the Act of the Empire.

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

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

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

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

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

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

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

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

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

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

Theſe

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

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

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

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

Thus

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

SECT. IV.

Of the French *Government and Parliament.*

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

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

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

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

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

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

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

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

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

Neither

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

He

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

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

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

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

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

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

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

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

of

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

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

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

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

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

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

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

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

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

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

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

This,

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

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

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

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

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

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

SECT. V.

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

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

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

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

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

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

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

Where the Emperor and the Empire are

are named, he conſtantly has the Precedence.

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

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

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

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

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

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

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

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

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

Theſe

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

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

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

3. War

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

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

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

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

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

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

The

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

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

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

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

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

Truſt. Theſe are accountable to the States only.

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

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

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

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

The

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

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

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

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

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

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

He

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

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

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

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

SECT. VI.

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

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

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

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

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

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

The

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Theſe

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

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

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

Εις οἰωνὸς ἄριστος ἀμύνεσθαι περὶ πάτρης.

to free their Country from Slavery, they executed an *unwarranted* Piece of Juſtice upon theſe ten Uſurpers, or *Ten Tarquins*, as ſome Body then call'd them.

Laſtly, The States have not a little been wanting to themſelves, in the Affair of this their ſo antient and fundamental Prerogative.

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

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

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

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

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

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

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

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

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

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

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

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

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

Take

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

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

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

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

The *Civilians* are Vaſſals to a *Foreign* Juriſdiction; *Cæſar*, the *Sword*, the Military, Imperial (or rather *Imperatorial*) Diſcipline, is to them for Scepter and Civil Policy: The *Germans*, *Anno* 1441, were for excluding them from all Offices, and Places of Truſt. *Limnæus*, *l.* 1. *de jure publ.*

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

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

SECT.

SECT. VII.

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

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

And

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

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

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

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

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

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

Δήπιοι οἳ δ' ἴσασιν ὅσῳ πλέον ἥμισυ πάντος,
οἳ δ' ὅσον ἐν μαλάχῃ τε καὶ ἀσφοδέλῳ μεγ' ὄνειαρ.

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

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

grand

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

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

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

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

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

Afterwards,

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

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

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

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

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

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

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

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

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

And

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

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

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

No Room is left amongst us for a standing Army, which enſlaved the *French*. And (our *Franc-Archers*) our Militia, continues after the old Model.

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

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

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

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

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

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

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

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

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

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

SECT. VIII.

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

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

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

Thoſe

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

From *Polybius*, we have had a particular Account of mix'd Governments, where he calls thoſe that repreſent the Monarchical, the Ariſtocratical, and the popular State, Τεῖα μερῆ τὰ κρατοῦντα τῆο πολιτείας, *the Three governing Parts of the Common-wealth.* So the King, the Senate, and the *Ephori* at *Sparta*; the Conſuls, the Senate, and the Tribunes at *Rome*, were there, the *Three States*, and had each their particular Shares in the Government.

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

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

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

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

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

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

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

lar.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thus

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

I am, &c.

AN

A

DETECTION

OF

Such Conceſſions as have been made

TO

KINGS *and* MINISTERS

BY THE

PARLIAMENT of *England.*

INTRODUCTION.

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

But

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

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

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

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

SECT. I.

Of the Petition of Right, and Triennial Bill.

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

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

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

That no Man hereafter be compell'd to make or yield any Gift, Loan, Benevolence, Tax, or ſuch like Charge, without common Conſent by Act of Parliament; *and that none elſe be call'd to make Anſwer, or take ſuch Oath, or to give Attendance, or be confin'd, or otherwiſe moleſted or diſquieted concerning the ſame, or for Refuſal thereof. And that no Freeman, in any ſuch Manner, as is before mention'd, be impriſon'd or detain'd. And that your Majeſty will be pleas'd to remove the*

the ſaid Soldiers and Mariners, and that your People may not be ſo burdened in Time to come. And, that all Commiſſions for proceeding by Martial Law, may be revok'd and annull'd; and that hereafter no Commiſſions of like Nature may iſſue forth to any Perſons whatſoever, to be executed as aforeſaid, leſt, by colour of them, any of your Majeſty's Subjects be deſtroy'd or put to death contrary to the Laws and Franchiſe of the Land.

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

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

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

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

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* In the Debate upon this Bill, the Lord *George Digby*, afterwards Earl of *Briſtol*, thus expreſt himſelf.

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

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

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

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

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

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

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

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

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

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

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

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

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

It is not my Deſign to wade thro' the mighty Controverſy between this unhappy Prince and his People, or to expoſe the Encroachments made on one Side, or the Inſincerities practis'd on the other: As all, at laſt, ended in Anarchy; and the *Petition of Right*, and the *Triennial Bill*, were the only ſolid Advantages, except the aboliſhing of the *Star-Chamber* and high *Commiſſion Courts*, which remain'd to the Com-

Common-wealth at the Time of the *Reſtoration*, I ſhall paſs the Gulph at once, and reſume the Conſtitution as I find it, when that great Event took Place.

SECT. II.

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

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

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

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

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

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

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

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

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

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

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

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

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

and,

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

The Reverend Fathers of the Church, thus reſtored to their Power in the State, in the very next Seſſion, took Advantage of the Tide which was now turn'd ſo ſtrongly in their Favour, and enter'd into Meaſures with the Court, for rendering Monarchy and Epiſcopacy alike impregnable for the Time to come; of which the *Corporation*, *Militia*, and *Uniformity* Bills, were the Foundations: For by the Two firſt, no Perſon could be admitted into any Place of Power and Truſt, Civil or Military, without taking an Oath; That it was not lawful, upon any Pretence whatever, to take up Arms againſt the King, and that he did abhor that traiterous Poſition, That Arms may be taken by his Authority againſt his Perſon, or againſt thoſe commiſſion'd by him: And by the laſt, every Clergyman was ſaddled with the ſame Oath, and alſo obliged to ſubmit his Conſcience to the

the Law, and profeſs to *believe* as he was taught. In the Preamble to the *Militia* Bill, it was moreover declared, That all Military Power was wholly in the King, and that both or either of the Houſes of Parliament cannot, nor ought not to pretend to the ſame: And, that his Majeſty might be arm'd at all Points, his liberal Commons made him a Compliment of 1,200,000 *l.* to be diſpoſed of as he pleas'd; and laid the *Preſs*, for a certain Term of Years, under the arbitrary Dominion of a *Licenſer*.

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

Upon ſo yielding a Parliament, however, the King, with good Rea-
1662. ſon,

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

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

'Some wou'd ſtill inſiſt upon the Authority of the Long Parliament, of which they ſay they have Members enough willing to meet: Others have fancied to themſelves, by ſome Computation of their own, upon ſome Clauſe in the Triennial Bill, that this preſent Parliament was at an end ſome Months ſince; and that for want 1664.

of

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

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

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

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

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

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

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

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

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

1666. Hitherto the Parliament had obeyed the King's Pleaſure in all Things, except the Affair of the Indulgence; but in the ſeventh Seſſion, the Lords joining with his Majeſty in an Attempt, to annex the Taking and Settling the Public Accompts to the Prerogative, the Commons voted it to be Unparliamentary, and tho' the King now ventur'd to treat them more cavalierly than ever he had done before, at once maintained their Temper and their Privileges.

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

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

But, tho' they had been hitherto induc'd to fleece the People thus unmercifully, they ſtill kept a Guard on their own Rights; inſomuch, that, when the Lord Chancellor *Shaftesbury* had taken upon him to iſſue out Writs for filling up the Vacancies of the Houſe, which ought to have been done by an Order of the Houſe to the Clerk of the Crown, they immediately vacated thoſe Writs, and expell'd the Members which had been return'd by them: They likewiſe took the Alarm at the King's Declaration of Indulgence, ſet forth during the Receſs, and by their vigorous Remonſtrances, oblig'd him to cancel it: After which, juſtly apprehending that *Popery* was even at the Doors, they took ſome Steps in favour of the *Diſſenters*, (whom they had hitherto treated more as Enemies than Brethren) preſented one Addreſs againſt *Popiſh* Recuſants, and in another laid before his Majeſty a State of the Public Grievances. 1672-3.

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

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

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

"The Conſtitution of the preſent Houſe of Commons, that had ſat near ſeventeen Years, was now more manifeſtly grown into

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

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

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

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

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

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

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

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

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

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

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

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

SECT. III.

Of King William's *Parliaments.*

To treat of the Omiſſions of Parliaments would be an endleſs Work: but, when we are to ſpeak of the *Convention*, ſummon'd by the Prince of *Orange*, how can we help expreſſing our Amazement, notwithſtanding, that they did not keep his Highneſs a little more ſtrictly to his *Declaration*; that, in their Inſtrument of *Rights*, they had not an Eye to the Corruption prov'd upon the Houſe of Commons in the Reign of King *Charles* II. that no Expedient was propos'd and inſiſted upon, for the annual Redreſs of Grievances, and that they ſhould mention the 1688.

the Neceſſity of *frequent* Parliaments, without a ſingle Clauſe to provide that they ſhould be *frequent*, or even ſpecifying what they meant by the Term?

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

However, let the whole Tranſaction ſpeak for itſelf.

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

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

ling out, when the Parliament is ſitting, his Majeſty, therefore, thought fit, to aſk the Advice of the Houſe therein, and intends to adviſe with the Lords alſo.'

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

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

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

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to be drawn into Precedent or Example hereafter) was rejected.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. "That

the People, they loſt the Confidence of the Prince.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And when the King, by miniſterial Ma-

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

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

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

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

which open'd ſuch a Scene of Iniquity, as, in the Compariſon, made the Penſioner-Parliament of King *Charles* II. ſeem innocent; and which was *then* thought to have arriv'd at the *ne plus ultra* of Corruption.

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

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

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

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

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their Witneſſes to appear before them, as is uſually granted to Witneſſes againſt them. To this Bill the Lords added the Clauſe they had always inſiſted upon; that upon the Trial of any Peer or Peereſs for Treaſon or Miſpriſion, all the Peers who have a Right to ſit and Vote in Parliament, ſhall be duly ſummoned twenty Days at leaſt before ſuch Trial, and ſhall not Vote without firſt taking the Oaths appointed by the Act I. *William* and *Mary*, and ſubſcribing and repeating the Declaration mentioned in the Act made 30 Car. II. which Clauſe was agreed to by the Commons."

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

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

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

On the other Hand, when the King communicated the *Aſſaſſination-Plot* to the Houſe, they unanimouſly enter'd into a voluntary *Aſſociation* to ſtand 1696.

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

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

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

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

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

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

" *W. R.*

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

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

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

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* As appears by the following Report made in the Houſe of Commons, *December* 30;

" Mr. *Pocklington*, from the Committee on the Abuſes of Priſons,

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

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

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

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

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

Con-

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

But

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

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

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

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

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

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

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

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

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

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

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

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* Which was rejected by the Lords.

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

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

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

† To the Earl of *Bridgewater*.

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

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

‖ Under the following moſt excellent Limitations,

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

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

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

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

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

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

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

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

1701. Of their Attachment to the *Hanover Succeſſion*, they nevertheleſs gave

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

a farther

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

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

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

SECT. IV.

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

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

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

That,

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

	l.	*s.*	*d.*
"For *Anno* 1689, Granted for the War, and to pay 60,000 *l.* to King *Charles*'s Servants, and to pay 600,000 *l.* to the *Dutch*, in all, that Year —— ——	1,844,786	16	04
For *Anno* 1690. Granted for the War	2,535,452	01	02
For *Anno* 1691. Granted for the War, and for building Ships —— ——	4,794,861	07	00¾
For *Anno* 1692. Granted (beſides what was paid out of the Revenue of the Crown towards the War) —— ——	3,337,268	08	09¾
Carry over —— ——	12,512,368	13	04½

For

	l.	*s.*	*d.*
Brought over ——	12,512,368	13	04½
For *Anno* 1693. Granted for the War ——	3,471,482	16	01
For *Anno* 1694. Granted for the War ——	5,030,581	09	09
For *Anno* 1695. Granted for the War ——	4,883,120	00	06
For *Anno* 1696. Granted for the War, and to make good ſome Deficiencies, and to make good the Clipped Money, and for the Civil Liſt, and *French* Proteſtants ——	7,961,469	00	00
For *Anno* 1697. There was Granted for the War, and to make good the Deficiencies of former Funds, and for the Civil Liſt, and *French* Proteſtants ——	11,887,160	00	09¼
Carry over ——	45,746,182	00	05¾

For

	l.	*s.*	*d.*
Brought over—	45,746,182	00	05¾
For *Anno* 1698. There were Funds given, amounting to about — — — —	4,500,000	00	00
Ordinary Revenue of the Crown, reckoned at a Million *per Annum*, by a Medium during theſe ten Years, might produce in the whole about — — — — —	10,000,000	00	00
In all—	60,246,182	00	05¾

But

	l.	*s.*	*d.*
Brought over———	60,246,182	0	5¾
But in theſe Articles ſeveral Sums are twice reckon'd; as for Example, where one Fund was taken away, and another given in its place; and where Funds have been granted to to ſupply the Deficiencies of other Funds, for which Articles there may be deducted about ---	7,000,000		
And the ordinary Crown-Revenue might be charged, during that Time, towards the War, with about - - -	5,000,000		
	12,000,000	0	0
So that there has been actually granted but about	48,246,182	0	5¾

'Tis

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

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

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

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

Sup-

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

	l.	*s.*	*d.*
The Expence of the Civil Liſt then in ten Years may have been—	6,000,000	00	00
Towards which the ordinary Revenue of the Crown, beſides what it was charged with to the War, may have yielded about —— —— —— ——	5,000,000	00	00
But in 1696, and in 1697, there was granted by the Parliament for the Civil Liſt *per Annum*, 500,000 *l.* in the whole ——————	1,000,000	00	00
So that in this Computation, the Expence of the Civil Liſt is to be reckon'd at but ————————	5,000,000	00	00

And

And the Accounts of *England* may run thus,

				l.	*s.*	*d.*
Actually granted - - - - - -				48,246,182	00	05¼
Expence of the War,	40,343,936	17	05	45,343,936	17	05½
Expence of the Civil Liſt	5,000,000	00	00			
Remains - -				2,902,245	02	11¾

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECT. V.

Of the Parliaments of Queen Anne.

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

very reſpectful Manner, * declin'd it, as not caring to ſet a Precedent, which might countenance future Alienations of the Revenue; already too much reduc'd by the exorbitant Grants of the laſt Reign.

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

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

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

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

Upon

Upon the Diſcovery of the *Scottiſh*-Plot, the Lords beſtirring themſelves with more than ordinary Zeal to get at the Bottom of it, by examining the Priſoners taken up on that Occaſion, and ordering them into Cuſtody by their own Authority, the Commons, of a ſudden, broke out in a Flame of Zeal for the Prerogative, which, in a ſolemn Addreſs, they repreſented as invaded by the Lords; and not only call'd upon the Queen, not to ſuffer it, but made an Offer of ſupporting her Majeſty in the Exertion of it, againſt all Invaſions whatever. 1703.

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

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

But there is good Reaſon to be-
1705. lieve that theſe frequent Broils between the Two Houſes had very different Grounds, in Fact, from thoſe which were publicly pretended: For, no ſooner had the Court-Junto ſtruck up a Bargain with the *Whigs*, and turn'd their Backs on their old Friends the *Tories*, but the Elections, for the general, took a different Turn; the Majority of both Houſes, appear'd to be of the ſame Complection, and whatever had been ſwallow'd by one, was digeſted by the other.

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

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

Privy-

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

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

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

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

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

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

Conſti-

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

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

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

ſent

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

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

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

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

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

But

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

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

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

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

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

Ac-

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

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

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

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

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

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

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

When

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

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

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

Mem-

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

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

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

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

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

Court,

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

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

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

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

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

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

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

granted

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

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

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

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

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

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

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

SECT. VI.

A State of the War and Peace.

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

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

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

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

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

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

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

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

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

		l.	*s.*	*d.*
The Eſtimate of the War amounted to, in the Year	1707	6,180,413	18	02¼
	1708	6,381,926	06	01
	1709	6,713,645	05	04½
	1710	6,734,043	09	11¾
	1711	6,851,468	16	07¾

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

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

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

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

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

The

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

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

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

The

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

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

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

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

quence,

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

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

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

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

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

However, the Finances of *France* being in great Diſorder, and that Nation labouring

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

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

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

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

King

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

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

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

In the ſame Year, *viz.* 1711. the Emperor *Joſeph* dy'd, the Hereditary Countries devolv'd on King *Charles*, the only ſurviving Prince of the Male Line of *Auſtria*, who was likewiſe choſen Emperor; upon which the

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

In Conformity to the Senſe of this Article, and to the Univerſal Conſent of the Allies, *who would not, nor ever have yielded, that a King of* Spain *ſhould be Emperor of* Germany, Her late Majeſty wrote to the ſeveral Electors in favour of King *Charles*, in ſo ſtrong Terms, that he has ſince own'd

Her

Her Goodneſs in his Behalf, as what was moſt eſſential towards raiſing him to the Imperial Dignity.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

their Troops march, alledging, That if the *French* ſhould get the Victory, the United Provinces would remain expos'd to their Incurſions: That the Deputies of the States acted in the ſame peremptory Manner on another Occaſion, appears from a Letter of the Duke of *Marlborough*'s, of *Auguſt* 19, 1705, wherein his Grace complains, in very moving Terms, " That at the Moment when he was going upon the Attack, when he had already flatter'd himſelf he ſhould ſoon have congratulated their High Mightineſſes on a glorious Victory, he found his Hands ty'd up by their Deputies." His Grace adds, " The Opportunity was too fair to be ſlipp'd; and that his Heart was ſo full, that he could not forbear complaining, he had not the ſame Authority in the Army that he had the preceding Year." Shall not the Crown of *Great Britain* have the ſame Authority over her own Troops, that the States of *Holland* have over theirs? Or, ſhall it be more criminal for a General in *Flanders*, not to follow the Confederates wherever they ſhould think fit to lead him, when, by the poſitive Command of his Sovereign, he was forbid to enter upon Action, than it was for a General in *Spain*, (afterwards Earl *Stanhope)* to ſeparate the *Britiſh* Army from that of the Confederates, at his own

own Diſcretion, without Order? Which *Fatal Separation* was ſoon follow'd by the Loſs of himſelf and his Troops: And yet it would be hard Treatment to charge ſo great a Misfortune upon that honourable Gentleman, whom all Parties own'd to have then acted with a true Zeal for the Good of his Country.

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

Here it is to be obſerv'd, *That the Emperors of* Germany *have not made Peace at* Ryſwick, Nimeguen, *or any other Congreſs, at the ſame time with the reſt of their Allies*, leſt the Princes and States of the Empire, who, as Sovereigns, have a Right to aſſiſt at ſuch Conferences, ſhould, by that means, have an Opportunity to juſtify their particular Claims: It has therefore been an eſtabliſh'd Maxim of the Imperial Family, to put off the Signing of their Treaties of Peace for ſome time, that the Members of the Empire may be under the Neceſſity of ſubmitting their Pretenſions to the Imperial Dyet, where the Emperor has more immediate Influence and Authority.

However, for Argument ſake, let it be conſider'd how far *England* had been blame-

able

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

That

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

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

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

clar'd,

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

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

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

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

her

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

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

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

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

and

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

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

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

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

Secondly,

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

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

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

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

Species of Goods.	*The Amount of the Exportation of Woollen Manufactures to the ſeveral Places aboveſaid, for the Years* 1709, 1710, *and* 1711.	*For the Years* 1712, 1713, *and* 1714.	*The Encreaſe of the Years* 1712, 1713 *and* 1714, *more than the Years* 1709, 1710 *and* 1711.
Bays	127,492 ½	158,903 ½	31,411 pieces
Cloth of all Sorts	107,888	152,642	44,754 cloths
Cottons	273,017	525,227	252,210 goads
Kerſies	59,884 ⅔	83,110	23,225 ⅓ piec.
Perpets and Serges	8,250,805 lib.	8,643,505 lib.	392,700 lib.
Flannel	990,451 yards	1,213,949 yards	223,498 yards
Stockings	81,472 dozen	96,939 dozen	15,467 dozen
Stuffs	3,186,031 lib.	5,586,968 lib.	2,400,937 lib.
Says	495,457 ditto	619,262 ditto	123,805 ditto
Northern Dozen	19,385 ditto	52,151 ditto	32,766 ditto
Hatts	25,383 dozen	39,373 dozen	13,990 dozen
Lead	37,557 tons	41,383 tons	3,826 tons
Manufactures.			
Spaniſh Wool imported into *England*	13,986 bags	0,388 bags	6,402 bags
Cochineal imported	177,785 lib.	220,667 lib.	42,882 lib.
Fiſh.			
Red Herrings	115,819 barrels	235,492 barrels	119,673 bar. *
White *ditto*	7,897 ditto	15,459 ditto	7,562 ditto
Pilchards	23,737 hogſh.	60,565 hogſh.	36,828 hogſh.
Salmon	260 barrels	870 barrels	610 barrels

† This Account was printed in 1716.

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

An

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

In the Year	*Groſs Recept.*	*Net Produce*
1709	2,306,784 08 01¼	1,342,833 14 04½
1710	1,945,792 06 02½	1,177,810 05 06½
1711	2,248,679 17 02½	1,202,040 12 09½
1712	2,191,348 19 06¾	1,396,633 03 11¾
1713	2,488,968 09 07	1,454,868 17 06
1714	2,705,029 10 10¼	1,765,695 04 02½
	13,886,603 11 06	8,339,881 18 04¾

Net Produce of the Year 1709	1,342,833 14 04½
Ditto 1714	1,765,695 04 02½
Encreaſe in the Year 1714, more than the Year 1709	422,861 09 10¾
Encreaſed the Three laſt Years in Peace, more than the Three preceding Years in Time of War	894,512 12 11¾

Merchant or Freight Shipping.

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

From the Year 1709 to

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

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

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

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

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

Cape

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

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

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

SECT. VII.

Of the Parliaments of King George I.

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

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

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

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

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

But to return to our immediate Buſineſs.

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

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

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

—— —— —— —— *His Zeal*
None ſeconded, *as out of Seaſon judg'd,*
Or ſingular and raſh —— —— ——

As *Milton* ſings of his *ſingly-faithful* Abdiel.

* Mr. *Wykes*, Member for *Northampton*.

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

And

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

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

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

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

† There were no leſs than 112 Petitions relating to Controverted Elections.

ration of War againſt the Party laſt in Power, and thereby provided very effectually to ſet the new King at Variance with Half of his Subjects; conſequently rendered him dependent on one *Faction*, and obnoxious to the other—But the Favour they had thus ſecur'd to themſelves, they took Care the Nation ſhould pay for: For, overlooking the Precedent of Queen *Anne's* Civil Liſt, which, for the general, did not exceed * 500000 *l. per Ann.* they had recourſe to that of King *William*; and, becauſe he had 700000 *l. per Ann.* King *George* was complimented with the ſame; nor would they even admit a Clauſe to *ſecure* 100000 *l. per Ann.* out of it to the Prince of *Wales*; nor ſuffer an Addreſs to be carry'd, *That his Majeſty would retrench unneceſſary Penſions, and grant no more for the future.*——This laſt Point, however, appear'd ſo groſs, that it was carry'd but by three Voices.

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

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

Mr.

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

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

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

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

Prece-

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

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

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

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

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

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

But

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

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

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

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

the

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

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

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

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

them

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

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

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

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

of

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

* * * * * * *

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

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

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* By 264 againſt 121.

This

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

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

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

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

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

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

and

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

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

1716-17.

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

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

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

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

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

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

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

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

for

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

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

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

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

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

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

But

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

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

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

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

ſhip might be * *excepted* out of the *Act of Grace*; a Benefit that he never ſought after, and which, it was now apparent, he did not want.

The Buſineſs of the next † Seſ-
1717. ſion, after voting a *Supply*, began with a Debate on the Standing Army: Upon which Occaſion, let it be for ever remember'd, that Mr. *Robert Walpole*, now a *Country Gentleman*, appear'd at the Head of the Oppoſition, and that Mr. *Shippen*, for aſſerting, with ſome Qualifications, *That the ſecond Paragraph of the King's Speech ſeem'd rather calculated for the Meridian of* Germany, *than of* Great Britain; *that it was the only Infelicity of his Majeſty's Reign; that he was unacquainted with our Language and Conſtitution, and that our Government does not ſtand on the ſame Foundations with his* German *Dominions*, was ſent to the TOWER, by Order of the Houſe; on a Diviſion of 175 Voices againſt 81.

But this Severity againſt Mr. *Shippen* did not terrify ſeveral other Members from do-

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* This Act was clogg'd with ſo many more Exceptions (48 in all) that a Member cry'd out, upon the Reading of them in the Houſe, *Who then can be ſav'd?*

† About this Time a Quarrel broke out at Court between the King and the Prince of *Wales*, which occaſion'd much *Talk*, and is perhaps not very well underſtood at this Day.

ing

ing their Duty, and endeavouring to ſave the expiring Liberties of their Country: among which Mr. *Jeffreys* deſerves to be remember'd with Honour: His Speech, upon this Occaſion, being ſo much a Maſterpiece, both in Matter and Manner, that I aſſure myſelf of the Thanks of my Readers for laying it before them, almoſt entire.

" I obſerve in the Debate it has been taken for granted, That the Crown of *England* has a Right to a Number of regular Troops, under the Denomination of Guards. This is a Notion I can by no means give into. It was not ſo *ab Antiquo*.

" The firſt Guards we hear of, the Yeomen of the Guard, which were conſtituted by *Henry* VII. being of another Kind, were in *Charles* II's Time. That Prince, immediately after his Reſtoration, got together a ſmall Number of Guards, which, at firſt, ſeem'd to be meant only to add to the Equipage and Splendor of the Court. But it ſoon appear'd, that he had other Views: The Guards, by adding Men to Troops and Companies, and Troops and Companies to Regiments, were inſenſibly increas'd; ſo that in the Year 1677, they were got up to five thouſand eight hundred ninety Men. Few Seſſions paſs'd, but they were taken

Notice of in the Houſe of Commons, and though Money was not ask'd of the Parliament for their Support, yet they occaſioned a general Uneaſineſs.

" About that Time there was a Proſpect of War with *France*, on which Pretence an Army was rais'd: But the War not proceeding, an Act paſs'd, which gave the King ſix hundred and nineteen thouſand three hundred and eighty-eight Pounds for diſbanding the Army. When the Parliament met again, they were told from the Throne, ' That the Forces were ſtill kept on Foot ' for the Preſervation of our Neighbours, ' who otherwiſe had abſolutely deſpair'd, ' and for preſerving what was left in *Flan-* ' *ders*; and that the King was confident no ' Body would repine at the Employing that ' Money, which was rais'd for the disband- ' ing of the Army, for the Continuance ' of it.

" This did not ſatisfy the Houſe, and they came to a Reſolution, ' That it was neceſ- ' ſary, for the Safety of his Majeſty's Per- ' ſon, and preſerving the Peace of the Go- ' vernment, That all Forces, rais'd ſince the ' twenty-ninth of *September* 1677, ſhould ' be disbanded.' Whereupon that Parliament, which went under the Name of the *Penſioner-Parliament*, was diſſolv'd.

" The

" The new Parliament which met on the firſt of *March* following, had the ſame Apprehenſions of regular Troops. Money was given to disband them, and the Act directed, that it ſhould be paid into the Chamber of *London*; and Commiſſioners of their own were appointed to ſee it apply'd to that Uſe. Whatever Diffidence of the King this might imply, I do not find that any Member loſt his Liberty for Freedom of Speech on that Occaſion. The Opinion *that* Parliament had of a Standing Army, appears in the Reſolution they came to, ' That the Continuance of ſtanding Forces ' in this Nation, other than the Militia, ' was illegal, and a great Grievance and ' Vexation to the People.

" I ſhall now take Leave to conſider the Arguments advanc'd for continuing ſixteen thouſand three hundred forty-ſeven Men for the enſuing Year.

It is ſaid, ' That there is a diſaffected ' Party in the Kingdom, which makes an ' Army neceſſary.

" If this Argument will prevail, 'tis ſtrange it has not prevail'd for ſix hundred Years paſt, ſince no Period within that Time can be aſſign'd, wherein this Argument was not as ſtrong as in the preſent.

" During

"During the long Controverſy between the Houſes of *York* and *Lancaſter* touching the Right of Succeſſion, in which each Side had its Turn of being uppermoſt, one would think it ſhould have been natural for the prevailing Party, in order to their Security, to have inſiſted on the Continuance of their regular Troops, at leaſt for a Time. There was a Pretender to the Crown, who had a ſtrong Party in the Nation, and the Government was inſecure till the Spirit of Rebellion was ſuppreſs'd. It might then, with an Appearance of Reaſon, have been inſiſted on, That the Taxes on the Diſaffected ſhould be increas'd; that thoſe, who occaſion'd the Expence, ſhould bear the Burthen, till the Danger was over.

"Why this Sort of Reaſoning did not then prevail is obvious. They ſaw it was unſafe to truſt any Prince, even one of their own ſetting up, with ſuch a Power, which, if ill apply'd, might enſlave them.

"Another Period of Time I ſhall take Notice of, is that of Queen *Elizabeth*'s Reign. The Diſaffection to her in the Beginning of it was great, occaſion'd by the Reformation in Religion, and the Application of Eccleſiaſtical Revenues to ſecular Uſes. Many Plots there were againſt her Life. *Spain*, one of the greateſt Powers in

Europe

Europe at that Time, attempted an Invaſion, and a more proper Juncture could not have happen'd, wherein to have aſk'd for an Army. But inſtead of that, the greateſt Part of the Forces then got together to oppoſe the Invaſion, conſiſted of Militia; and as ſoon as the Armado was ſcatter'd, the Army was diſbanded: That Queen being ſenſible, that the true, the only Support of the Crown, was the Good-will and Affections of the People.

"Another Argument brought for the Continuance of the Army is, 'That the 'denying it does inſinuate a Diſtruſt of 'his Majeſty.'

"How diſingenuous and unparliamentary a Way of Arguing this is, let Gentlemen judge: For to draw that ſacred Name into a Debate, muſt put every Body to Pain, who takes the other Side of the Queſtion, in Regard it may be conſtru'd, that the ſtronger the Argument is, the greater is the Diſtruſt.

"But this Reaſoning, in my Opinion, turns quite another Way, and inſtead of implying a Diſtruſt, argues the greateſt Regard to the Safety of his Majeſty's Perſon and Government. Who can anſwer for the Caprice of an Army, when once eſtabliſh'd?

"Although

" Although no Man living has a greater Eſteem than myſelf for thoſe honourable Gentlemen, who have with ſo much Bravery ſerv'd their Country in a military Way, nor ſhall any Man go farther in rewarding their Services; yet the common Experience of Mankind demonſtrates, That it is not reaſonable to expect an Army ſhould be always in the ſame Humour. *Auguſtus Cæſar* liv'd in great Peace and Security with the Prætorian Bands, which had put an End to the *Roman* Liberties; but the Caſe was different with his Succeſſors; for of twenty-ſix Emperors, no leſs than ſixteen were pull'd to pieces by their own Soldiers. Did not the Army here in *England*, in the Times of Uſurpation, if I may be allow'd to name them, in a ſhort Space change the Government into ten ſeveral Forms? What Treatment did the Parliament, who had rais'd and ſupported them, meet with from them? They beſet the Houſe, repuls'd many Members who would have come in, others they dragg'd out even by the Legs, and at length they were all turn'd out, and the Doors ſhut up. I ſay this with the more Aſſurance, having had the Account from an honourable Perſon, lately dead, who was an Eye-witneſs of it. This

Army,

Army, 'tis true, which conſiſted of about Seventeen Thouſand Men, afterwards brought in King *Charles* the Second. But that Prince ſoon diſbanded them, being well aware, that the ſame Army which brought him in, ſhould their Minds change, might again turn him out.

" This Objection, drawn from a Diſtruſt of his Majeſty, deſerves another Name. 'Tis an honeſt, 'tis a reaſonable Jealouſy of the growing Power of the Crown, which thoſe that went before us always avow'd. May it not with Parity of Reaſon be ſaid, That becauſe I will not conſent, that the King ſhall by his Proclamation raiſe Money without Parliament, that this is a Diſtruſt of his Majeſty? Becauſe I will not conſent to give up *Magna Charta*, and accept of a new Patent at Pleaſure, may not this likewiſe be call'd a Diſtruſt of his Majeſty? But ſuppoſe, from an Opinion of the Virtue of the Troops, from an Opinion, that Men in Power will not make an ill Uſe of it, that thoſe who may be Maſters, will chuſe to continue Servants, that Men under the ſame Circumſtances will not do the ſame Things, and that we ſhould conſent for *ourſelves*, to depoſite our Liberties in their Hands for a while, will any one ſay, that

that we have an Authority alſo to conſent on the Behalf of thoſe we *repreſent*? A Sum of Money, a Jewel, or other valuable Thing is committed to my Care; I, without the Owner's Conſent, leave it in the Poſſeſſion of another, although the Perſon with whom I left it, does not actually embezzle the Money, or detain the Jewel, yet do I break my Truſt, by putting it into his Power ſo to do.

" It is ſelf-evident that, by keeping up ſuch a Number of Forces, who may, when they are diſpos'd, controul the Power of the Civil Magiſtrate, the Strength and Security of our Conſtitution is at an End; and that we have no other Rule of Government left, than Will and Pleaſure. The Notion I have of Slavery is the being ſubjected to the Will of another; and, notwithſtanding the Rod be not always on my Back, or the Dragoon in my Houſe, yet, if it is not in my Power to prevent its being ſo, I am no longer free. After *Auguſtus* had eſtabliſh'd his eight thouſand regular Troops, the *Roman* Conſtitution was as much at an End, as it was in *Nero*'s Time. Although the Tyranny was not by *Auguſtus* exercis'd with the like Severity it was by his Succeſſors; yet, from the Time his Power became irreſiſtable, the *Romans* were Slaves.

" An-

" Another Argument us'd for this Number of Troops is, ' That there are no ' Thoughts of eſtabliſhing them; but only ' continuing them for a Year.

" If the Notion be true, which no Gentleman in the Debate has deny'd, That the Number of diſciplin'd Men now contended for, are ſufficient to dictate to the greateſt Number of undiſciplin'd; I deſire to know who ſhall dare to bid them go Home? 'Tis ſaid, indeed, the Parliament will not provide for them: Why may not they then, as others in their Circumſtances have done, provide for themſelves? Is it reaſonable to think, that Men will ſtarve with Swords in their Hands?

" I am ſenſible, that I have too much treſpaſs'd on Gentlemen's Patience. I ſhall ſay no more; but that Bodies Political as well as Natural, have their Periods: Governments muſt die as well as Men; ours is grown old and crazy; and tho' ſhe hath ſurviv'd her Neighbour, yet I fear her Day approaches."——Thus far Mr. *Jefferies.*

But Words do not weigh ſo heavy as Gold; nor could either *Cicero* or *Demoſthenes* carry any Point by the Dint of Rhetoric againſt the ſuperior Influence of Power and Profit. Thus, upon the Iſſue of this Debate,

Debate, we find the *German* Mode of governing by *Standing* Armies, adopted by a *Britiſh* Houſe of Commons; and all which the People gain'd by the Eloquence of Mr. *Walpole*, was a Saving of about 31000 *l.* upon the Eſtimate; by the Amputation of certain ſuperfluous Expences in the Pay of General Officers, *&c.* which was carry'd by 14 Voices.

But, tho' the Oppoſition had received a great Addition of Strength, by the coming over of Mr. *Walpole* and Company, and there ſeem'd to be a Coalition between the *Tories* and theſe diſcontented *Whigs*, it appear'd the Laſt had their Reſerves, and play'd faſt and looſe as their Managers gave the Word of Command.

Thus we find upon the Land-Tax-Bill, when it became Matter of Debate, whether it ſhould be for 2 or 3 *s.* in the Pound, it was carry'd for the laſt by a Majority of 67.

Again, when the * *Mutiny-Bill* was un-

* When the *Mutiny-Bill* was brought into the Houſe of Lords, the Army met with as warm an Oppoſition as it had before done in the Houſe of Commons; the perſecuted Earl of *Oxford* taking the Hint to ſay, That as long as he had Breath, he would ſpeak for the Liberties of his Country, *&c.* Not only the Duke of *Argyle*, but the Lords *Cholmondley*, *Townſhend* and *Iſla*, *ſpeaking*, *voting* and *proteſting* againſt it, both when it was read and paſs'd; and the Court carrying their Point, on the higheſt Diviſion, but by 19 Voices.

der

der Conſideration of the Commons, the Clauſe to puniſh with Death, was carry'd but by 8 Voices; and yet when the Bill was read the Third Time, the ſaid Mr. *Walpole* and Company deſerted, and the Court had a Majority of 81.

Yet farther, when the Merchants * petition'd for a free Trade with *Sweden*, alledging, that, whereas before the Prohibition they gain'd 30000 *l.* they now loſt about † 90000 *l.* the Debate was adjourn'd till that Day Month, by 201 Voices againſt 211:

And to crown all, his Majeſty having ſignify'd to the Houſe, by Meſſage, *That it would give Weight to his Endeavours, if a Naval Force be employ'd, where it ſhall be neceſſary*; and hinted, *That if he ſhould be oblig'd to exceed the Number of Men granted for the Year, he did not doubt but the Houſe would, at their next Meeting, provide for ſuch Exceedings*; they blindly reſolved upon an Addreſs of Thanks, for *his Majeſty's unwea-*

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* This Step of the Merchants was owing to a late Proclamation, for allowing the Importation of *Swediſh* Iron from any Ports but thoſe of *Sweden*; which was no more in effect, than to appoint the *Dutch* to be our Factors for that Commodity, at what Profit they pleas'd.

† A ſlight Specimen of the Advantages ariſing to this Kingdom from the Affair of *Bremen* and *Verden*.

ried Endeavours to promote the Welfare of his Kingdoms, &c. *and Aſſurances that this Houſe will make good ſuch Exceedings*, without a *Diviſion*; tho' the Welfare of his Kingdoms was then no Part of the Queſtion; and it was well known, we were entering into a War with ‡ *Spain*, to *oblige* the Emperor; for ‖ *electoral* Views only; the ill Conſequences of which we feel and lament at this Day.

1718. During the Receſs, the *Blow* having been ſtruck in the *Mediterranean*, by Sir *George Byng*, the King open'd the next Seſſion with a gracious Speech, in which he repreſents the *Spaniards* as the Aggreſſors; as having made it neceſſary for our Naval Forces to check their Progreſs; as rejecting all † Terms of Accommodation; and, therefore, he hopes a *Britiſh* Parliament will enable him to reſent ſuch Treatment, &c.

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‡ Whoſe Ambaſſador had, about this Time, expoſtulated with our Court, concerning the great Preparations then making, to ſend a Fleet to the *Mediterranean*.

‖ That is to ſay, to make good the Treaty between the Emperor and his Majeſty of 1716; in which they mutually engage to defend and preſerve each other, in all the Dominions they then *poſſeſs'd*, or, by mutual Conſent, ſhould afterwards *acquire*.

† One of which, as it afterwards appear'd, was a Sort of Promiſe of the Reſtitution of *Gibraltar*.

Ac-

Accordingly, the Court-Party mov'd for an Addreſs to ſignify their *entire Satisfaction in thoſe Meaſures which his Majeſty had taken*: But this was oppos'd by Many; and by Mr. *R. Walpole* in particular, who ſaid, That the giving the Sanction deſir'd, could have no other View, than to *skreen Miniſters*, who were conſcious of having done ſomething amiſs, and who would make a War of *their own* the *Parliament's War*: Wherefore, ſaid he, we ought rather to expreſs our *entire Diſſatisfaction* with a War, that was contrary to the Law of Nations, and a Breach of ſolemn Treaties, *&c*: But all was to no Purpoſe: the Queſtion was put, and *entire Satisfaction* carry'd it, by 216 Voices againſt 155.

A War with *Spain* was, ſome * Time after, declar'd in Form; which being communicated to the Houſe, *Thanks* was again the Word; and a Reſolution paſs'd, to ſupport his Majeſty in it; (on a Diviſion of 178 and 107) tho' it had been urg'd in the Courſe of the Debate, That the Concerns of *Britain*, *viz.* the Violations of the Treaty of Commerce, would have been overlook'd, provided *Spain* would

* *December* 17, 1718.

have accepted the Terms provided for her by the ‖ *Quadruple Alliance*; nay, that it appear'd the King would have ſacrific'd † ſomething of his own (*Gibraltar*) to procure the general Tranquility: whence Mr. *Shippen* took Occaſion to inſinuate upon the Whole, *That the War was calculated for another Meridian.*

The * Supply was the next Parliamentary Conſideration, which, under the Heads of Land Tax (Three Shillings in the Pound) and Malt Bills, was carry'd thro' both Houſes within the Compaſs of one Month, and paſs'd in one Day. So ſtrong was *H——r* Influence, and ſo exceſſive, *Britiſh* Complaiſance!

‖ Between the Emperor, *Great Britain*, *France*, and afterwards *Holland*: ſign'd *July* 22, *O. S.*

† See Mr. Secretary *Craggs*'s Anſwer to the *Spaniſh* Embaſſador's (Marqueſs de *Monteleone*'s) Letter. *Hiſt. Regiſt.* 1718, Page 300.

* The Eſtimates for the Service of the Year amounted to 2,257,582 *l.* 9 *s.* 10*d.* $\frac{3}{4}$, Beſides 110,000 *l.* for the Half Pay of Land and Marine Officers, 25000 *l.* for the Extraordinaries of *Chelſea* College, and 25000 *l. only* for the Half Pay of the *Sea Officers*. The Houſe likewiſe, being inform'd by his Majeſty, in a Speech from the Throne, that the Kingdom was threaten'd with an *Invaſion* from *Spain* in behalf of the *Pretender*, *&c.* came into an unanimous Vote to ſupport his Majeſty with the utmoſt Vigour, and to deſire his Majeſty to augment his Forces by Sea and Land, in what Manner he ſhould think FIT.

I ſhall

I ſhall but juſt mention the Repeal of the moſt rigorous Clauſes of the *Occaſional Conformity* and *Schiſm Bills*, which took place this Seſſion; for, tho' it was patroniz'd at Court, thwarted by the Oppoſition, and cavill'd at by the Church, it had its Foundation *in Equity*, remov'd an Oppreſſion, and, therefore, became properly the Duty of Parliament.

They likewiſe order'd an Addreſs for an Account of Penſions beſtow'd on Members, and beneficial Grants directed to the Lords of the Treaſury: But tho' the ſaid Addreſs was comply'd with, we do not find that any Lights were obtain'd by it, or at leaſt that any Advantages aroſe from it.

The Parliament being prorogu'd *April* 18, notwithſtanding the Fears which had been propagated of an * *Invaſion* from *Spain*, his Majeſty made a Viſit to his *German* Dominions, and the Summer was render'd remarkable by the Expedition to *Vigo*, under the Lord Viſcount *Cobham*, the taking of St. *Sebaſtian*'s, by

* Which ended in a ridiculous Attempt upon *Scotland*, with about 300 *Spaniards*, who being join'd by 1000 *Highlanders*, were defeated by General *Wightman*, *June* 10.

the Duke of *Berwick*, and the Deſtroying three large Men of War upon the Stocks, at St. *Antonio*, &c. by the *Engliſh* and *French* in Conjunction.

Upon the opening of the next Seſ-
1719. ſion, *November* 23, the Speech was ſwallow'd in the Lump, as if become a Matter of Form only; and the Addreſs, as uſual, contain'd a Sort of *Engagement* to comply with all the King could aſk: and, accordingly they voted 13500 Seamen, and 14469 for the Land Service, laid Three Shillings in the Pound upon Land, and provided all the other Ways and Means, neceſſary for that Year's Complement to the Views of the Crown.

But how pliant ſoever they appear'd, in thoſe Points which fell heavieſt on their Conſtituents, they prov'd immoveable in the only Point which more immediately affected themſelves: I mean the * *Peerage-Bill*; which they threw out by

* It had been introduc'd into the Houſe of Peers, by the Duke of *Somerſet*, the Seſſion before; and provided among other things, That, in Lieu of the Sixteen elective Peers of *Scotland*, Twenty-five Peers, to be declar'd by the King, before the next Seſſion of Parliament, ſhould have hereditary Seats in Parliament; and, in caſe of Failure of any of theſe, the Defect was to be ſupply'd out of the *Scotiſh* Nobility.

That

by above 90 Voices, tho' indirectly recommended to them from the Throne, *as a proper Method to tranſmit to Poſterity the Freedom of our happy Conſtitution, and particularly to* ſecure *that* Part of it *which is* moſt liable to ABUSE.

I ſhall make but one Remark on this myſterious Bill, *viz.* That, if it had paſs'd into a Law, and ſtood till this Day unrepeal'd, it is probable, a certain Place had not been converted from the ultimate Reſort of Juſtice, into a Sanctuary for C——ls.

The Hiſtory of the Funds, I have touch'd upon but very ſlightly, as requiring more Time and Room than I have, at preſent, to ſpare. But I ſhould be inexcuſable, if I did not obſerve, That, during this Seſſion, the *Bank* and *South-Sea* Com-

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That the Number of *Engliſh* Peers ſhould not be enlarg'd, without precedent Right, beyond Six, above what they were at preſent; but as any of the ſaid preſent Peers, or ſuch Six new Peers ſhall fail, their Number may be ſupply'd by new Creations of Commons, natural born Subjects of the Kingdom.

That no Creation, for the Future, be made by Writ, nor any Patent extended beyond the Grantee and the Heir Male of his Body.

That theſe Reſtraints ſhall not extend to Princes of the Blood.

And that every Creation, contrary to theſe Reſolutions, ſhould be null and void.

panies, (one under the Protection of Mr. *Aiſlabie*, then Chancellor of the *Exchequer*, and the other under Mr. *Robert Walpole*'s,) bid againſt each other for the Jobb of enlarging their Capital, by taking in by Subſcription, certain Annuities and other redeemable Debts, and that the *South Sea* carry'd it: Since, by the Credit of their Triumph, the Managers of the Laſt were enabled to bring into play that pernicious * Scheme, which then began to infatuate the whole Kingdom, and ſoon after reduc'd it almoſt to the Brink of Ruin.

But tho' Mr. *Walpole* was diſtanc'd in this Affair, he did not loſe the next Opportunity which offer'd, to pay his Court to the King, by ſeconding Mr. *H. Pelham*'s Motion, for an Addreſs of Thanks to the King, for having, by Meſſage, *deſired the Advice and Aſſiſtance of the Houſe, in relation to his granting* † *Patents for erecting Corporations to*

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* It is remarkable, That when the *South-Sea* Bill was firſt [illegible] in the Houſe of Lords, Earl COWPER compar'd it to [illegible] Horſe, *contriv'd by Treachery, uſher'd in by Fraud, [illegible] Pomp, but big with Deſtruction.*

[illegible] the Diſpute between the *Craftſman* and *Gazetteer*, [illegible]-g the *Bank Contract*, an Account of this per[illegible] was given by the firſt, in the following Words: [illegible] firſt the *Reconciliation-Bargain*, but is [illegible] known, at preſent, by the Name of the *Two Inſurance Com-*

to inſure Ships and Merchandizes: on the other Hand, no Trace is to be found of his ſupporting a Motion of Sir *William Wyndham*'s, for an Account of the Debts and Arrears of the *Civil Liſt*, which paſs'd in the *Negative*; and, tho' an Addreſs was voted, for an Account of the 250,000 *l.* granted in the Third Year of his Majeſty's Reign, to enable his Majeſty to concert Meaſures againſt *Sweden*, as likewiſe another concerning the *Penſions* and *Grants*, addreſs'd for once before, Thoſe in Power took Care to have the Seſſion clos'd, without giving the Nation any Light into thoſe dark Affairs; notwithſtanding the King ſtood *engag'd* by his Anſwer to thoſe Addreſſes, to give the Houſe the Information they had, with ſo much Reaſon, deſir'd.

June 11, his Majeſty prorogu'd the Parliament, and the 15th, embark'd at *Greenwich* for *Hanover*, many of his Train having firſt very diſcretely diſpos'd of their *South Sea* Stock; tho' the King, in his Speech,

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Companies; which gave Money to the Civil Liſt for the Privilege of becoming Two Bubbles, under the Sanction of an Act of Parliament; at a Time too when the Treaſury was provided with Ways and Means for the Supply of it otherwiſe; and when the *South Sea* Directors, who were afraid of this unneceſſary Fewel, offer'd to advance the Money for the Civil Liſt, upon ſure and eaſy Terms, rather than let thoſe Bubbles take place."

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at the Cloſe of the Seſſion, had taken very advantagious Notice of the *Foundation laid this Seſſion for the Diſcharge of the Public Debts*; meaning the Act for enlarging the Capital of that Company before ſpoken of.

And now it was, that the great Patriot, Mr. *Walpole*, condeſcended once more to accept the Favour of the Court (or rather the * Reward of his late ſpecial Service) in the Shape of Paymaſter-General; the firſt Place in the Treaſury, which he had enjoy'd before, having been beſtow'd upon the Earl of *Sunderland.*

In *July*, the Congreſs of *Cambray* was open'd, and the 19th of that Month *South Sea* Stock, from 1000 *l. per Cent.* fell to 400 *l.* This drew on the famous *Bank Contract* of *September* 23, by which the *Bank* oblig'd themſelves to circulate the *South-Sea* Bonds, and the *South-Sea* Company was to pay them 3,775,000 *l.* for the Job: But many Bankers and Goldſmiths failing about this Time, as likewiſe the *Sword-Blade* Company, this Expedient *fail'd* likewiſe: *South-Sea* Stock fell, in a Week's Time,

* We have been ſince told, by an *Occaſional Craftſman*, That tho' this eminent Gentleman was not at the Head of the Treaſury till the *April* following, he had bargain'd for it already, and gave himſelf the Airs, and exercis'd the Power of a Prime Miniſter accordingly.

to † 150; and the Lords of the Treaſury were forc'd to come to the *Bank* and ſubſcribe 100000 *l.* in his Majeſty's Name to keep up the Credit of the *Bank* itſelf.

While the Nation was in this dreadful Situation, a Proclamation was iſſued for proroguing the Parliament to the 25th of *November*, at the ſame time declaring, *They ſhould then ſit for the Diſpatch of Buſineſs*; notwithſtanding which, it was again prorogued to the 8th of *December*; when the King open'd the Seſſion with a Goſpel-Speech, ſignifying *Peace on Earth, and Good-will towards Men!* recommending Prudence, Temper, Reſolution, the finding out ſpeedy and effectual Methods to reſtore public Credit, and proper Remedies for our Misfortunes, demanding Supplies, ſetting forth the good Condition of our Trade, and declaring we had the moſt flouriſhing Navy of any Nation whatever, to protect it: But not one Word of Enquiries, Cenſures, Puniſhments, *&c.* And, by way of Echo to the *Britiſh* Throne of *Mercy*, Mr. *William Pulteney* mov'd for an Addreſs of Thanks; which Mr. *Shippen* would have had clogg'd with a Clauſe, ſignifying a Concern for the *Honour of Parliaments*, 1720.

† Which was the Price it bore, *Feb.* 2, when the Houſe accepted the Propoſals of the *South-Sea* Company.

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the Intereſt of the Nation, and the Principles of Juſtice, but was defeated by a Majority of 261 Voices againſt 103.

As to the Supply, as before obſerved, it was become a Thing of Courſe, and ſo was carry'd *Nem. Con.* Ten Thouſand Seamen were alſo found neceſſary for the Service of the Year; as was likewiſe a Land Army of 14294 Men: Mr. *Robert Walpole* taking upon him to convince the Houſe, that 3 or 4000 Men were not worth diſbanding.

With reſpect to the *South Sea* Conſpiracy, an Order was made, tho' not without Oppoſition, for the Directors to lay before the Houſe an Account of their Proceedings; and ſome Papers were deliver'd in accordingly: But before they were taken into Examination, the great *Patriot*, laſt mention'd, gave Notice to the Committee, that he had an Expedient to introduce for the reſtoring public Credit; as the main Foundation of which, he requir'd, *That all Contracts made with the* South Sea *Company, ſhould remain in their preſent State*; which, tho' an apparent Ratification of many *fraudulent* Practices committed by the Directors, was comply'd with by a vaſt * Majority.

* In the Committee 259 againſt 119; in the Houſe 232 againſt 88.

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The Way being thus clear'd, the mighty Secret was diſclos'd; which was, to ingraft nine Millions of *South Sea* Stock into the *Bank*, and as many into the *Eaſt-India* Company; and this, we are told, for want of a better ‡ Scheme, was, at that Time, accepted of.

But in the Middle of theſe Tranſactions, the *Malt* and *Land-Tax* * Bills having been already agreed to, the *Mutiny-Bill* was introduc'd; which being complain'd of by Sir *Joſeph Jekyll*, as ſomething unuſual ſo early † in the Seſſion, and what ſeem'd to indicate, *That ſuch a Hurry was intended to ſtop the Proſecution of the Authors of the preſent Misfortunes.* Mr. Secretary *Craggs* was pleas'd to wonder, *That* ANY OPPOSITION *ſhould be made to ſo* NECESSARY *a Bill, eſpecially by a Perſon who had receiv'd ſuch ſignal* FAVOURS *from the* CROWN.

A Reproach, which ſo manifeſtly arraign'd the Integrity, and encroach'd on the Freedom of Parliaments, one would have thought, muſt have drawn down the Reſentment of the whole Houſe; but tho' the

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‡ Mr. *Hutcheſon*, upon the Report, inſinuated, that if the Queſtion might be re-committed, he had ſomething more effectual to propoſe: But he talk'd to the Deaf.

* For Three Shillings in the Pound. † *January* 4.

Lord

Lord *Moleſworth* endeavour'd, by a warm Speech, to make them ſenſible of the Inſult, no Notice was taken, and Sir *Joſeph Jekyll* very *prudently* withdrew his Oppoſition to the Bill.

Soon after, Mr. *Robert Walpole*'s ingrafting Project came again under Conſideration; and, in the Courſe of a Five Hours Debate, was repreſented, as like to prove a dangerous Palliative, rather than an effectual Remedy to the preſent Diſtemper, and, being founded on a notorious Piece of Injuſtice, *viz.* the obliging the Subſcribers of Annuities and Money, to take *South-Sea* Stock at above double its Value, would rather farther hurt, than reſtore Public Credit. But Mr. *Robert Walpole* anſwer'd all Objections, and ſo manag'd it, that the Queſtion was carry'd for the Ingraftment, by a Majority of 133: A Bill was accordingly order'd in, which gave Occaſion to farther Debates, while paſſing through the uſual Forms of the Houſe; but, being vigorouſly ſupported by the Courtiers and their new Leader Mr. *Walpole*, it made its Way thro' all Oppoſition, and in the End paſs'd into a Law; to what Purpoſe will be ſeen by and by.

With Regard to the Steps affected to be taken, towards the unravelling the great Myſtery

Myſtery of Iniquity, and to do the Nation Juſtice upon its Betrayers, the Commons prepared an Act *for reſtraining the Sub-Governor, Deputy-Governor, Directors, Caſhier, Deputy-Caſhier, and Accomptant of the* South Sea *Company*, from going out of the Kingdom for the Space of one Year, *&c.* and *for diſcovering their Eſtates and Effects, and for preventing Alienations*; and the Lords another, *To diſable the preſent Sub-Governor, Deputy, and Directors of the* South-Sea *Company from holding, for the future, any Office, Place, or Employment in the ſaid Company, or the* Bank, *or the* Eaſt-India *Company, and from Voting upon Elections in the ſaid Company*; both which received the Royal Aſſent *January* 25.

The Commons, likewiſe, appointed a Select Committee of Thirteen, to enquire into all the Proceedings relating to the Execution of the *South Sea* Act: This was done *Jan.* 11. But, tho' they proceeded upon their Office immediately, and Mr. *Robert Knight*, the *South Sea* Caſhier, had been, in part, examin'd, both before them and the Houſe of Lords, he was ſuffer'd to make his * Eſcape the 22d;

* He was afterwards ſecur'd at *Antwerp*, at the Inſtance of the *Britiſh* Secretary at *Bruſſels*: But Ways and Means were

22d: in Conſequence of which, it was urg'd, That Lights were wanting, and Evidence fail'd, to trace the Conſpiracy to the Fountain Head, and fix the Guilt of it, where it principally belong'd.

According to the Report of the Secret Committee, (which it was not thought fit to make public) and the Examinations taken in the Houſe of Lords, it appear'd that large Sums in *South-Sea* Stock had been given for procuring the paſſing the *South Sea* Act, (ſee laſt Seſſion,) to ſeveral * Perſons both in the Adminiſtration and Houſe of Commons (of whom Liſts were handed about at that Time,) and this the Lords voted to be a notorious and dangerous Corruption: The Commons, likewiſe, came to ſeveral Reſolutions on the Report of their Secret Committee, ſpecifying the ſeveral Frauds and Breaches of Truſt which the

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were found to trump up an obſolete Privilege of the States of *Brabant*, to countenance the Emperor, for refuſing to deliver him up (as he was requeſted to do by his Majeſty, at the Inſtance of both Houſes) till he made his Eſcape a Second Time, together with the Serjeant who had him in Charge. He hath of late receiv'd and pleaded his Pardon.

* No leſs than Forty Perſons, as well Lords as Commons, were nam'd: and about 300,000 *l.* had been given away in Brokers Names, who purg'd themſelves from having any Connern therein, upon Oath.

South

South-Sea Directors had been guilty of: and among the Reſt, That the taking in, or holding of Stock by the *South-Sea* Company, for the Benefit of any Member of either Houſe of Parliament, or Perſon concern'd in the Adminiſtration, *&c.* without any valuable Conſideration pay'd, or ſufficient Security given, *&c.* and the Company's paying or allowing ſuch Perſons the Difference ariſing by the advanc'd Price of Stocks, were corrupt, infamous, and dangerous Practices, highly reflecting on the Honour and Juſtice of Parliaments, and deſtructive of the Intereſts of his Majeſty's Government.

But, notwithſtanding theſe Reſolutions, when that Part of the Report came under Deliberation, which charg'd Mr. *Knight* with taking in 50,000 *l.* Capital Stock for the Uſe, and on the Account of the Earl of *Sunderland* (who, as yet, was at the Head of the Treaſury) upon putting the Queſtion, it paſs'd in the Negative, by a Majority of 233 Voices againſt 172.

To ſum up this whole Affair in a few Words (which would require a Volume to detect and expoſe as it deſerves,) Tho' the Miſchiefs done by this infamous Conſpiracy was viſible to the whole World, and no *Skreen* whatever was broad enough to cover the Guilty from the Knowledge

and Reſentments of the Public, the public Vengeance fell only upon Mr. *Aiſlabie*, (who was made the *Scape-Goat* of the Miniſtry,) the Directors, and the Eſtate of Mr. *Craggs* Senior, then in his * Grave, in the Shape of Expulſions, Fines, and Diſqualifications.

As the Majority without Doors had taſted of the Calamity, there is but too much Reaſon to fear the Majority within either partook of the Guilt, or were prevail'd upon to join in compounding the Felony: Not only Court-Lords, but Court-Ladies, had put in for a Share of the Spoil; nor could hardly any Suſpicion ariſe, but had ſome plauſible Circumſtances to warrant it.

The State-Undertakers of thoſe Times, therefore, ſtudy'd only to ſkin over the Wound, not to lay it open; to quiet the Clamours of the Sufferers, not to do them Juſtice; and rather to ſerve themſelves than the Public: Thus we are not to think Mr. *Aiſlabie* more guilty than Lord

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* As was likewiſe his Son, the Secretary of State, who dy'd juſt a Month before his Father; Earl *Stanhope* alſo, the other Secretary, dy'd Eleven Days before his Collegue; which two Vacancies were ſoon ſupply'd by the Lords *Townſhend* and *Carteret*.

Sun-

Sunderland, becauſe one eſcap'd and the other was puniſh'd: His Lordſhip, it may be preſum'd, bought his Peace at the Price of his Office, and as Mr. *Aiſlabie*, perhaps, was not altogether ſo forward to compound, it was neceſſary he ſhould be remov'd: Both Places were now to be enjoy'd by the ſame Perſon: and it muſt be acknowledg'd a notable Strain of Policy, by one and the ſame Meaſure, to puniſh a Delinquent and remove a Rival.

By the *South-Sea Act*, the Lords of the Treaſury were empower'd to ſee that the Directors did not abuſe their Truſt: But theſe Powers of theirs they made over to the Directors themſelves; and the Houſe of Lords juſtify'd them for ſo doing; on a Diviſion of 63 Voices againſt 28.

Of this Circumſtance, however, it doth not appear that the Commons avail'd themſelves, in their Share of the Proſecution; which gave Mr. *Aiſlabie* great Advantage in his Defence before the Lords: For, as he ſhrewdly inſinuated, if he was guilty, the other Lords of the Treaſury could not be innocent: And yet we have ſeen that the Firſt Lord in the Commiſſion, had the good Luck to meet with a Parliamentary Abſolution.

The great Mr. *Walpole*'s Ingrafting Scheme ſoon appearing to be, as at firſt repreſented, a Quack-Medicine, which only patch'd up the Conſtitution, without repairing it, the Houſe enter'd into farther Deliberations for the Reſtoring of Public Credit; and in Order thereto, reſum'd the Advantages they had before given the *South-Sea* Company, by dividing the Capital Stock belonging to the Company, in their own Right, and diſcharging all the Loans upon pledg'd Stock at 10 *per Cent.* which amounted to an immenſe Sum: and by Way of Equivalent to the Company, remitted * Five of the Seven Millions due from them to the Public, as the Conſideration of the Bargain, their Managers had ſo infamouſly abus'd.

But, tho', in every Step of this iniquitous Affair, the cloſe and intimate Connection between the Court and the Company appear'd in ſuch a glaring Light, when a Motion was made for incapacitating Directors of the Three Great Trading Companies from being elected Members, it was oppos'd by Mr. *Walpole*, and conſequently thrown out by 253 againſt 166.

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* The other *Two* were remitted afterwards.

Certain

Certain other *Jobs* remain to be mention'd before we come to the cloſe of the Seſſion, *viz.*

The Plague raging violently in the South of *France*, and ſuitable Apprehenſions being entertain'd here, a Quarantine-Bill was brought in and paſs'd; which empower'd the Government to remove any infected Perſon to a Peſt-houſe, or any well Perſon out of an infected Family; as likewiſe to draw Lines, or Trenches round any Place infected: with Penalties unknown to, and utterly irreconcileable with, a free Conſtitution.

June 16, His Majeſty by Meſſage, requir'd of the Houſe to be * enabl'd to make good a Subſidy-Treaty, he had enter'd into with *Sweden:* Upon which Occaſion my Lord *Moleſworth* ſignify'd, That we were become the Allies of the whole World, and the Bubbles of all our Allies. That our Treaties with *Sweden* contradicted each other. That the Engagements in our laſt, interfer'd with our Obligations to *Denmark*, and were directly oppoſite to the Meaſures formerly concerted with *Ruſſia*. That if the *Czar* was to part with

* With a Sum of 72,000 *l.*

his Share of the Spoils of *Sweden*, *Hanover* ought to do the ſame. That if the *Swedes* were become miſerable, they deſerv'd it, by their *tame Submiſſion* to a deſpotic Prince, and by exhauſting their whole Subſtance in Support of his unjuſt and and ambitious Deſigns, adding, *That any Nation who follow'd their Example deſerv'd their Fate.* He then imputed the late Rupture with the *Czar*, to the Affair of *Mecklenburgh.* Urg'd that *England* ought not to intermeddle with the Affairs of the Empire. That Naval Stores was all we wanted for the *Baltick.* That HEMP, indeed, was a very neceſſary *Commodity*, eſpecially at this *Juncture.* But that, with due Encouragement, we might be ſupply'd with it from our own Colonies.—His Lordſhip had his Speech, and the Court the Money, by a Majoirity of 61.

And *July* 11, his Majeſty by another Meſſage, gave the Houſe to underſtand that he wanted no leſs than 550,000 *l.* to diſencumber his Civil Liſt; which, large as it was, would not ſerve to keep his Majeſty *out of Debt.* He nevertheleſs *promis'd to retrench, &c.* and condeſcended even to propoſe how the Sum, in Requeſt, might be rais'd *Viz.* by a Deduction to

be

be made out of the Salaries and Wages, Penſions, and other Payments of the Crown.

Mr. *Shippen* was the only Man who had the Honour to treat this Meſſage as it deſerv'd; among other things obſerving, That if not only the Sum, but the Manner of raiſing it, was to be pointed out to them, it was making the Houſe a perfect Parliament of *Paris*, and that if Things came to this Paſs, it would be eaſy for any King, whenever he thought fit, to make himſelf arbitrary.

Nobody ſeconding this Speech, the Affair was referr'd to the general Committee; in which an Endeavour was us'd, to make the *Civil Liſt* contribute to the Diſcharge of the National Debt as well as the King's, by moving firſt for 1 *s.* 6*d.* in the Pound on all Salaries, *&c.* but that being over-rul'd it was carry'd for a Shilling, Half of which was to anſwer the King's Demand, and Half to go to the public Service: But, tho' the Numbers were now 153 to 63, when the Reſolution came to be reported, the Houſe diſagreed to the Committee, and the Court carry'd it for Six-pence only by 132 againſt 83: By which Means the King's Debts were taken Care of, and thoſe of the Nation dropt: And upon this Occaſion, we have

the firſt public Hint of a Miſunderſtanding between that *Par Nobile Fratrum*, Meſſieurs *Walpole* and *Pulteney*; the Laſt reproaching the Firſt, with altering his Mind, as he was *in* or *out* of Place; and hinting, that as he might be *out again* in a Twelvemonths Time, ſo he might then be of another Opinion. To which Mr. *Walpole* reply'd; It was poſſible he might be *out* again: But whenever that happen'd, he ſhould be *glad* to * reſign to a Perſon of ſo much Merit as Mr. *Pulteney*.

Upon *April* 29, at the Motion of Mr. *Shippen*, an Order had been made for the Secret Committee to enquire what Officers of the Revenue had employ'd the public Money in their Charge, to the Purchaſe of Stock, Subſcriptions, *&c.* who, *June* 5, among ſeveral other ſcandalous Particulars, charg'd Mr. *Hampden*, then Treaſurer of the Navy, and others, with Practices of this diſhoneſt Nature: But Methods were found out to divert the Houſe from coming to any Reſolutions thereon, till the Seſſion was brought to a Period.

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* This very Event hath ſince partly taken Place: But whether by Choice or Compulſion, ſeems to remain ſtill a Queſtion.

Hence

Hence it appears, That it was ſafer to join in the Corruptions of the Times, than to detect and expoſe them: Thus *Miſt* the Printer, having ſet forth a Journal, which gave great Offence to thoſe who were gall'd in it, the Commons order'd the ſaid *Miſt* † to be committed to *Newgate*; reſolv'd upon an Addreſs to the Throne, expreſſing their Abhorrence of the ſaid Libel, *&c. &c.* and appointed a Committee, not only to enquire into the Authors, *&c.* of that Libel, but of all other Papers diſtinguiſh'd by them, with the ſame Appellation; who, in their Report, were pleas'd to involve all the obnoxious ‡ *Journaliſts* of the Times, *Whig* as well as *Jacobite*, in the Perſecution commenc'd againſt *Miſt*; and, if they had not wiſely kept out of the Way, 'tis odds but they had ſhar'd in his Puniſhment.

For the ſame Reaſon, therefore, that ſo much Clemency was viſibly ſhewn to the *Public Robbers*, and ſo much Rigour to the *Public Advocates*, it muſt be concluded, that the Act for a *gracious, general, and free*

† A Proclamation was iſſued, offering a Reward of 200 *l.* for the apprehending of Two of his Servants.

‡ *Charles Molloy*, Eſq; *Samuel Foſter*, Eſq; and Mr. *Thomas Gordon*.

Pardon,

Pardon, with which the Seſſion concluded, was obtain'd by the Intereſt of the firſt, and not with the leaſt View of ſhewing Mercy to the laſt.

As both Houſes were prorogu'd without the uſual Speech, and but for three Days, it muſt be preſum'd, that the Neceſſity of their being call'd together again was very clearly foreſeen; tho' his Majeſty, in his Speech, upon that Occaſion, *July* 31, is pleas'd to call his Summons both *ſudden* and *extraordinary*.

However this be, the ſole Buſineſs that was done, was to prepare a Parliamentary Drench to ſilence, if not ſatisfy, the *Proprietors* of the *Redeemable Funds*; the Doſe was form'd of a Dozen Ingredients, and was call'd, *A Bill for making ſeveral Proviſions to reſtore Public Credit*, &c: But this not giving Satisfaction to the Patients it was deſign'd for, they preſented a Petition, praying to be heard by their Council againſt it, which was order'd to lie upon the Table: They, moreover, accompany'd this Petition of theirs in a Body, and waited the Event in the Lobby of the Houſe; which gave the Hint to ſome of the leading Members to move, that Certain of the *Weſtminſter* Juſtices might be order'd to attend; which they did accordingly; and were directed by the

the Speaker to *clear* the Paſſages to the Houſe of the riotous People which infeſted them.

This, with a Guard of Conſtables, they undertook, but could not accompliſh, till they had caus'd the Proclamation againſt *Rioters* * to be read.

By the 10th of *Auguſt*, this Qualifier having paſs'd thro' all the Forms, the King came to the Houſe, and with Thanks, *&c.* as uſual, put an End to this *occaſional* Seſſion.

We are now come to the laſt Seſſion of this aſſuming Parliament, which having been return'd for THREE Years, continued themſelves, by their OWN AUTHORITY, for SEVEN; and, tho' compos'd of *Whigs*, within that Time, went farther in the empoveriſhing and enſlaving their Fellow-ſubjects, than all their Predeceſſors together from the Reſtoration. 1721.

The King's opening Speech was admirably well adapted to diſarm Diſaffection, and beſpeak the Public Favour, at the next

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* Upon which Occaſion, ſome of the Petitioners took the Liberty to ſay, *That they came as peaceable Subjects and Citizens, to repreſent their Grievances; and did not expect to be us'd like a Mob, and Scoundrels:* To which others added, (to the Members going out) *You firſt pick our Pockets, and then ſend us to Goal for complaining.*

gene-

general Election.—All was Grace and Goodneſs, Paternal Concern and Public Spirit.—It publiſh'd the glad Tidings of a general Pacification, recommended the extending Commerce, expreſs'd a Senſe of the Public Grievances, and a Deſire of having them diminiſhed.—Manna! Honey! and the Honey Comb!

That an Addreſs of Thanks for ſo palatable a Speech, was eaſily carry'd, will ſcarce be wonder'd at, in an Age ſo complaiſant as ours; nor that a Supply ſhould be granted as ſoon as ask'd; Supplies being now the chief, if not the only, End of Parliaments.

But that, when it had been declar'd from the Throne, we were at Peace with all the World, the Neceſſity of a † *Standing Army* ſhould not only be inſiſted upon, but allow'd, might very well aſtoniſh thoſe who remember'd, that King *James*'s Standing Army, in Time of Peace, was one of the Pleas for the Revolution; and who were ſtill ridiculous enough to fancy, that Votes and Reſolutions were govern'd by Reaſon and Conſcience, not Paſſion and Intereſt.

But in Seven Years Time, a *Standing Army* was become Part of the Conſtitution; and was, therefore, already conſider'd as a

† 14,294, New Officers included, beſides 1859 Invalids.

Thing

Thing which was to paſs of *Courſe*. To have the *fingering* of a mighty Sum was the grand Point the Miniſters had in view: The Inclinations of the People were not to be truſted; but their Wants and Vices, their Venality and Corruption, were a *Soil* that promis'd the richeſt *Returns*; provided the Golden Grain was liberally ſcattered, and the Glebe properly prepar'd to receive it.

To anſwer all theſe politic Ends, by the moſt plauſible Means, the Miniſters, or, at leaſt, their Tools, expreſs'd themſelves in a very pathetical Manner, on the *overgrown* Debt of the Navy, amounting to 1,700,000*l.* 1,100,000*l.* of which were *ſaid* to have been out-ſtanding ever ſince the Death of Queen *Anne*, tho' never once thought of before: To appear yet more moderate in their *Demand*, they likewiſe gave the Houſe to underſtand, that they *deſir'd* but One Million, this Year, towards the Diſcharge of it; and, ſo *irreſiſtable* was *Court-Eloquence*, that the round Million was carry'd without even the *Ceremonial* of a Diviſion.

This bold Stroke, however, gave ſuch an Alarm to the *Minority* in the other Houſe, that they took the Premiſſes into a very ſerious and thorough Conſideration; and in the Courſe of ſeveral Days long and vehe-

vehement Debates, made it appear, that the Navy Debt, inſtead of being 1,100,000 *l.* at the Death of the Queen, as had been ſuggeſted, was no more than 764,088 *l.* 3 *s.* 11 *d. Net*, on the 31ſt of *December* 1717: That the Reſidue of the Debt was grown ſince that Time: That *ſeveral* irregular, unprecedented, and unwarrantable Practices (by them ‡ enumerated) had contributed to the Growth of the ſaid Debt, but more eſpecially our *Baltick* and *Mediterranean* Expeditions, in which the Service of *Great Britain* was no wiſe concern'd, and by which her Intereſt was greatly endanger'd: *&c.* In a Word, ſo high was the Diſpute carry'd, that it gave Riſe to a Queſtion, *Whether the Act of Settlement had not been broken*; which paſs'd in the Negative; as, indeed, did all others that tended to throw the neceſſary Lights on our *Northern* Tranſactions; which, in Return for annual Fleets and annual Subſidies, had produc'd nothing to us (whatever they had done to *Hanover)* but the empty Guaranty of *Sweden* to the Proteſtant Succeſſion, now ſo fenced in upon all Sides, as to be no longer in Danger.

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‡ See the Lords Proteſts for the Year 1721-22, which, in this one Seſſion only, amounted to TWENTY-SIX.

To the Debates of the Lords, during this Seſſion, we owe likewiſe a Record, that the *French* Navy was recruited, with Men of War of 60 and 70 Guns, built in the Ports of *England*; and that our virtuous Government conniv'd at it.

And by a Proteſt, *Feb.* 20, we find, that the Public Debt had increas'd, between the 31ſt of *December* 1717, and the 31ſt of *December* 1720, at leaſt 2,300,000 *l.* notwithſtanding the Sinking Fund, within that Time, produc'd 1,910,385 *l.* 14 *s.* 6¾.

But to return to our Repreſentatives:

As another *Sweetener*, the *Quakers* were indulg'd with a Privilege of uſing their Solemn *Affirmation* in the Place of an *Oath*; and a Bill was brought in by Mr. *Hutcheſon*, for the better ſecuring the Freedom of Elections; the Neceſſity of which he exemplify'd in the following memorable Words:

" It is too notorious what Attempts are *now* carrying on to invade the Freedom of your approaching Elections; in ſome Places by *Threats*, to fright and over-awe them with the *Quartering of Troops*, if they do not comply; in others, by the *corrupt* Sollications of *Agents* and *Undertakers* employ'd by thoſe who, from the *incredible Sums*, which are diſpers'd, one muſt imagine, have

MORE

MORE than *private Purſes* at their Command."

" But what, in *God*'s Name, can all this tend to? What other Conſtruction can any Man, in Common Senſe, put upon all theſe Things, but that there ſeems to have been a ‡ FORM'D DESIGN, by *Violence* and *Oppreſſion*, firſt to humble you, and to make your Necks plyable to the YOKE that is deſign'd for you, and then to finiſh the Work, by tempting the Poverty and Neceſſities of the People, to ſell themſelves into the moſt abject and deteſtable Slavery, for that very Money, which had either been unneceſſarily rais'd, or mercileſly and unjuſtly plunder'd and torn from their very Bowels?"

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‡ This very Expreſſion was, before, made Uſe of by Mr. *Hutcheſon*, in his excellent Speech on the *Septennial Bill*; and is there explain'd to be a Deſign, *To govern the People by their Fears*, which is the genuine Characteriſtic of a Tyranny. In the ſame Speech he hath, likewiſe, made Uſe of the following remarkable Expreſſions, *viz.*

' *I beg, Gentlemen, to conſider, whether a greater Curſe can fall on any People, than to ſerve ſuch a Parliament as* THIS (which he had before deſcrib'd) *and entail'd upon them.*

Note, This Gentleman became ſo obnoxious to thoſe in Power, for his Attachment to his Country, that he was oppos'd at *Haſtings* by *William Pulteney*, Eſq; now Earl of *Bath*, under the Patronage of the Duke of *Newcaſtle*, who made Intereſt for him in Perſon; and Ways and Means were found to render his Election, in the next Parliament, for *Weſtminſter*, void; tho' return'd by a Majority of 1784.

And

And in another Place,

" Miniſters would then be neither able to SKREEN *themſelves*, or their *Friends*, againſt your *Enquiries*, and the boldeſt and moſt *enterprizing* of them, would be made to *tremble* at the Apprehenſions of your *Animadverſions* upon them: Nor ſhould we then (it is to be hop'd) ſit *tamely* here, and ſee our Country harraſs'd with the Expences of *fruitleſs Expeditions* Abroad, and with the Maintenance of a *Standing Army* at Home, dangerous to our Conſtitution and Liberties."

Thanks to the Seaſon, not the Virtue of our Miniſters or Members, this Bill was ſuffered to paſs thro' the Houſe; but then it was only in order to its being rejected by the Lords; which was done upon the ſecond Reading; not indeed without a vigorous Oppoſition, nor unaccompany'd with a very ſevere Proteſt; which, (tho' one of thoſe many obnoxious ones that were ordered, this Seſſion, to be *expung'd* by the Majority,) ſtill bears witneſs, that it had Truth for its Foundation.

Being now to take our Leave of this extraordinary Parliament, it may poſſibly be expected that I ſhould give a Summary of its Merits: But, inſtead of drawing a Character, I ſhall content myſelf with relating a Fact.

Sir *John Cope*, Baronet, accuſes Sir *Francis Page*, one of the *Barons* of the *Exchequer*, of endeavouring to corrupt ſeveral of the leading Members of *Banbury* Corporation, againſt the next Election; and, in Support of his Charge, produces the Mayor of *Banbury*, and ſeveral other Perſons, who declare at the Bar of the Houſe, (and offer'd to the ſame upon Oath, which was refus'd) That the ſaid Mr. *Baron Page*, being in the Town-Hall, propos'd a Candidate to them, to repreſent that Place in Parliament: That, according to the Example of other Boroughs, they ſtood upon Terms; ſuch as the having their Streets pav'd, an Augmentation made to their Vicarage, and a School-Houſe built; the Charge of all which Items was eſtimated at 5 or 600 *l.* —That the worthy *Baron*, in his Reply, pleaded his *Services* to the Town, in obtaining for it a *new Charter*, which had ſtood him in 6 or 700 *l*; and, in Lieu of complying with the Demands of the Corporation, offer'd them a Releaſe: That he afterwards ſign'd the ſaid Releaſe: and, over and above, offer'd them *one* Hundred Pounds, and by Degrees came up to *Two*.

But tho' this infamous Traffick for the Liberties of the Nation, was thus notoriouſly prov'd, inſtead of exciting the Indignation

Indignation of the Houſe, and producing ſuch Reſolutions as might vindicate their own Honour, and put a Stop to ſuch infamous Practices for the Time to come, the Queſtion was only put, whether Sir *John Cope* had made good his Charge, which was carry'd in the NEGATIVE.

March 7, The Court-Buſineſs being all diſpatch'd, and the Speaker having made a flattering Harangue, as *uſual*, his Majeſty put an End to the Seſſion with a Speech, in which he thanks both Houſes for their *ſteady* and *reſolute* Adherence to his Perſon and Government; launches out, with great Bitterneſs againſt the wicked Arts of *Calumny* and *Defamation*, which have been the conſtant *Prelude* to *Public Troubles* and Diſorders, then practis'd with the greateſt Induſtry, by the *Enemies* of our *happy Conſtitution*; declares his *Determination* to *continue* to *countenance* ſuch as have manifeſted their Zeal, for the preſent *happy Eſtabliſhment*; and concludes with ſtrongly *recommending* THEM to the Good-will of all that are *well affected* to his Government, *&c.*

But, notwithſtanding his Majeſty's *Certificate* of the *good Behaviour* of this Parliament, the Cities of *London* and *Weſtminſter*, with Bells, Bonfires, Illuminations, and every

other Demonſtration of Public Joy, celebrated the Day of their Diſſolution, as if it had been a Day of *Deliverance* from their *worſt Enemies.*

The Writs for the new Parliament were returnable *May* 10, and Two Days before, the Lord *Townſhend*, Secretary of State, by his Majeſty's Command, ſent a Letter to the Lord-Mayor of *London*, acquainting him, That his Majeſty had received repeated and unqueſtionable Advices, that ſeveral of his Subjects had enter'd into a wicked Conſpiracy, in Concert with ſeveral Traitors abroad, for raiſing a Rebellion in Favour of a *Popiſh Pretender.* But that the Authors neither were, nor would be *countenanced* by any *foreign Power*, &c.

By way of Reply to this extraordinary Epiſtle, the Lord-Mayor and his Brethren, offer'd up an Addreſs, abounding with Court-Incence, and their loyal Example was follow'd by many other Places.

But, not to depend too much on the Profeſſions of the People, a Camp was form'd in *Hyde-Park*, Six Regiments were landed here from *Ireland*, and his Majeſty was induc'd to make a *Royal Progreſs*, on the Pretence of aſſembling and reviewing his Forces upon *Salisbury*-Plain.

I have

I have already obſerv'd, That Public Rejoicings were made for the Diſſolution of the late Parliament, whence it may be gather'd, that if the People were really as *free*, as they are ſaid to be, they would ſcarce have return'd another of the ſame Complection; that is to ſay, compos'd, for the General, of *known Vaſſals* to the Court, inſtead of Friends and Servants of the Public: Such, however, was the Matter of Fact, and that it would be ſo, was, no Doubt, very clearly foreſeen: For if there had been the leaſt Hazard, 'tis not to be ſuppos'd, That thoſe who were hardy enough to turn a *Triennial* into a *Septennial Parliament*, by their own Authority, would have given the People a Chance to do themſelves Juſtice.

The Point, however, was ſo ſtrongly conteſted, that within the Space of Twelve Days, no leſs than Ninety Nine Petitions were preſented, on Account of undue Elections and Returns: How they were Determin'd, may be gueſs'd from the Caſe of Mr. *Hutcheſon*, before quoted.

October the 9th, his Majeſty open'd the firſt Seſſion of the Second *Septennial* Parliament, with a *Gracious* Speech, which was *embelliſh'd* with the Horrors that *might* have attended the late 1722.

Conſpiracy, and the *Benefits* of his own Reign; and for *Eſſentials*, demanded farther Proviſions for the Common Safety; by which was to be underſtood, *more Men* and *more Money*.

To ſuſpend the *Habeas-Corpus* Act for a Year, was the firſt Fruits of the very firſt Day's Seſſion, even before the *uſual* Addreſs of Thanks, *&c.* was taken Care of; a Bill, *ready drawn*, for anſwering which bleſſed End, was introduc'd into the Houſe of Lords by the Duke of *Grafton*; and paſs'd thro' all the Forms with a Hurry and Precipitation, that nothing ſhort of an actual Rebellion, or Invaſion, could have excus'd.

On the 15th, this *dreadful* Bill was ſent down to the Commons; where, being eſpouſed by Meſſieurs *Walpole*, *Pulteney*, (again drawing in the ſame Team) *Pelham*, and *Yonge*, it was likewiſe carry'd by 246 Voices againſt 193; and on the 17th it received the * Royal Aſſent.

Their next loyal Step was to augment the Army with 4000 Men, which was

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* It is remarkable, that the Preamble to this Bill, ſuppoſes the Danger ariſing to the King and Kingdom, from the Conſpiracy to be *preſent*; whereas in the Speech it is repreſented to be *over*; his Majeſty having *already ſeiz'd* ſome of the *Conſpirators*, and order'd *Endeavours to be us'd for apprehending others*.

agreed

agreed to by a Majority of 72; and, becauſe it was not held adviſeable to lay above 2 *s.* in the Pound upon Land, 5 *s.* in the Pound upon *Papiſts* and *Non-jurors* was recommended by Mr. *Robert Walpole*, as a proper Expedient to make up the Deficiency of the Year; and finally agreed upon by a Majority of 46.

As to the Conſpiracy, which was ſet forth in ſuch terrible Colours, it was of ſuch a Nature, as ſeems to have brought all Plotting into Diſgrace ever ſince: Hear-ſays of Hear-ſays, reported by a *hired Informer*, who, before the Affair came to an Iſſue, either deſtroy'd himſelf, or was deſtroy'd ******; a *Harlequin* Dog, Letters intercepted, about the Lord knows what, to the Lord knows who; and thoſe put to the Torture by *Decypherers*, and made to confeſs whatever the M——rs pleas'd, appearing to have been the * only Support of it; but *one* † inſignificant Creature *(Layer)* of all thoſe ſaid to be concern'd in it, proving to be within the Reach of the Law; and, againſt him, even his own extorted Confeſſion was forc'd to be brought in Evidence; inſo-

* See the Speeches of Mr. *Kelly*, Sir *Conſtantine Phipps*, and the Biſhop of *Rocheſter*.

† Whoſe Tryal was not printed, till firſt mov'd for, by the oppoſing Lords in Parliament.

much, that, in order to convict him capitally, there ſeems to be abundantly more Cauſe, to ſuſpect thoſe in Power of *conſpiring* againſt the *People*, than the *People* of conſpiring againſt the King: And yet, on ſuch Pretences as theſe, the Liberty of the Subject was, for a whole Year, left at the Diſcretion of the Prince: Several noble ‡ Lords were committed to the *Tower*; and Bills of *Pains* and *Penalties*, thoſe deſperate *Devices*, which can never be excus'd, but by the moſt deſperate Neceſſities, were brought into play; a Biſhop and a Lord of Parliament, after having undergone unprecedented Inſults and Severities, was deprived and driven into Exile; a ſort of Perſecution was let looſe againſt the * *Papiſts*, and an *unneceſſary* Supplement was made to the Standing Army: Every one of which aſtoniſhing Particulars, tho' apparently the Contrivance of a bold, wicked, corrupt

‡ As was likewiſe Dr. *Freind*, a Member of the Houſe of Commons; which being ſeverely animadverted upon by Mr. *Shippen*, Mr. *Walpole* firſt reply'd, with much Warmth; and then Mr. *Pulteney* (towards the End of the Seſſion made Cofferer) added, *That it was uſual in all Conſpiracies, for one Traitor to endeavour to excuſe another.*

* For, over and above the 5 *s.* in the Pound, they were ſaddled with by another Act, all Perſons were oblig'd to take the Oaths, or regiſter their Eſtates: By way of *Repriſals*, for which Severities, as it may be preſum'd, a Perſecution was commenc'd, ſoon after, againſt the *new Converts* in *France*.

Mini-

Miniſter, had the Sanction of the ſecond Septennial Parliament, at the firſt Entrance upon their Truſt; when they had ſcarce the Merit of any one popular Act to qualify this ſubmiſſive Conduct of theirs; except the Cenſure they paſs'd on the *Harburgh* Lottery, (a Bubble, which had been ſet on Foot under *Hanover*-Authority; the Pretence, to clear the River *Elbe*, the Deſign to plunder the Public) and the burning the PRETENDER'S *Declaration.*

The King's, or rather the *Miniſter's* Enemies, being now ſufficiently humbled, and the whole Kingdom, by the Suſpenſion of the *Habeas-Corpus* Act, entirely at the Mercy of the ſaid Miniſter and his Legions, his Majeſty was pleas'd to make another Viſit to his *Hanover* Dominions, *June* 3, from whence he did not return till the 28th of *December* following.

January 9, the ſecond Seſſion of the ſecond Septennial Parliament, was open'd with a Speech, which began with the Laud and Praiſe of our preſent *happy* Situation, both at Home and Abroad; hinted a Hope, That the *few Examples*, lately made, would deter the moſt *Diſaffected* for the future; ſignified, That the AUGMENTATION of the *National Forces*, had not only *ſecured* our domeſtic Quiet, but 1723-4.

but contributed to the *Preſervation* of the Peace of *Europe*; demanded Supplies; recommended the *Diſcharge* of the *Public Debt*, as a Work truly worthy a *Britiſh* Parliament; and declar'd, That it was the *vaineſt of all Deluſions* to *imagine* we have any *Chance of any good Thing*, but by SUPPORTING the *preſent Eſtabliſhment*, and MAINTAINING the *Proteſtant Succeſſion.*

To this moſt gracious Speech, no Objection appears to have been made in either Houſe; Addreſſes of Thanks were voted *Nem. Con.* and, if they had been dictated by the very Perſon who made the Speech, they could not have been more of a Piece with it.

A Motion to continue the ſame Number of Forces, which had been ſo delicately recommended in the King's Speech, produced the only memorable Debate, that is recorded of this Seſſion, in which Mr. *Walpole* appear'd at the Head of the Court-Advocates, and Mr. *Pulteney* brought up the Rear; and, under the Conduct of two ſuch able Generals, 'tis ſcarce a Wonder, that this Favourite-Point was carry'd by a Majority of 140.

A Land-Tax, like the Army, was become a Thing *of Courſe*; and ſo Two Shillings in the Pound was admitted without any Oppoſition: But when a Petition was pre-

preſented, for Relief to certain Perſons who had been Sufferers in a *Bubble*, for promoting a Trade to the *Bahama* Iſlands, the *Skreen* was once more *ſpread*, and three *Members*, who had been *Managers* of that Project, had the *Benefit* of it.

Again, when the plauſible Head in the King's Speech, relating to the National Debt, was under Conſideration, our State-Projectors introduc'd a Scheme to convert the *Cuſtoms* upon *Coffee*, *Tea*, and *Chocolate*, into an EXCISE; under the ſpecious Title of an *Inland Duty*, which, being likewiſe a Court-Point, was ſubmitted to, with all the Complaiſance imaginable.

In ſhort, the *Malt* and *Mutiny*-Bills, and every other Matter, Clauſe and Circumſtance, that the Miniſter or his Partiſans took a Fancy to, was comply'd with: So that by the 24th of *April*, the Buſineſs of the Seſſion was at an End, and the King diſmiſs'd both Houſes with a *gracious* Speech, expreſſing his *great Satisfaction* with their *continuing* the like National Force by Sea and Land this Year, as they had done the laſt, as being a wiſe Proviſion for the Support of *Public Credit*; and aſſures *himſelf*, that they will diſcountenance any *Remains* there may be yet left of Sedition or Diſaffection, *&c.*

No-

Nothing remarkable happen'd between the Seſſions, except that the King did *not* viſit his *Hanover* Dominions, and that his Excellency *Horatio Walpole*, Eſq; was appointed Embaſſador and Plenipotentiary to the Court of *France*.

November 12, His Majeſty open'd
1724. the Third Seſſion with a *gracious* Speech; in which he again declar'd, That we were at *Peace abroad*, and *happy* at *home*: Recommended, notwithſtanding, the *ſame Proviſion* by Sea and Land, the ſame Attention to the *Improvement* of the *Revenue*, and the Diſcharge of the Debt, *ready Concurrence* in *raiſing* the *Supplies*, &c.

But, tho' an unanimous Addreſs of Thanks was return'd, when the *Standing Army* came to be debated, a Spirit of * Oppoſition ſhew'd itſelf again, and in particular Mr. *Shippen* was pleas'd to expreſs himſelf as follows:

" If I may be permitted to conſider the King's Speech, as the Compoſition of his

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* Mr. *Snell*, upon this Occaſion, likewiſe acquainted the Houſe with an Inſult offered to certain Country People in the Weſt, by a Party of Dragoons; as likewiſe of an Officer's ſilencing the City-Drums in *Glouceſter*, on Pretence, *That none but the King's Drums had a Right to beat in the* GARRISON.

Miniſters,

Miniſters, which tho' I know by Experience to be a more dangerous, is yet a more Parliamentary Way, than to conſider it as an Edict from the Throne; I will obſerve, that it does not ask the Opinion and Advice of the Commons, how far they will uſe their great, eſſential, and undiſputed Right of raiſing Money; but it poſitively preſcribes the exact Proviſion we are to make, both by Sea and Land, for the Service of the enſuing Year; and, whether that be not a new Method of ſpeaking to Parliaments, is, with all Deference, ſubmitted to the Wiſdom of this Houſe, which is the beſt Judge of its own Privileges and Power.

" Surely, Sir, it is very melancholy to hear one Seſſion after another, that, tho' we are in a State of Tranquility, as the Language is, yet we can neither be ſecure at home, nor reſpected abroad, without continuing above Eighteen Thouſand Land-Forces in Pay.

" This Way of Reaſoning entirely miſrepreſents our Circumſtances and Condition: For it would ſuggeſt, that we cannot enjoy the Bleſſings of a good Reign, without enduring, at the ſame time, the Hardſhips of a bad one, which is a Contradiction in it ſelf, and inconſiſtent with the Notions we,

as

as *Engliſhmen*, muſt ever entertain of our legal Liberties; in Maintenance of which our Predeceſſors in Parliament, thought fit to alter the Lineal Succeſſion of our Royal Family.

" Now, all Rebellions, all Conſpiracies, ſeem to be totally extinguiſhed, not more by the late ſeaſonable Exertion of Parliamentary Juſtice, than by the wiſe and prudent Conduct of thoſe in the Adminiſtration: They have ſo carefully reviewed and modelled the Forces this Summer in every Part of the Nation, that, we are to hope, there are not left even ſo many, as three or four Serjeants and Corporals, who ſhall have Fool-hardineſs enough to undertake again to draw the whole Army into wild and chimerical Attempts: They have freed the Church from all Apprehenſions of Danger, by promoting only the moſt orthodox and learned Part of the Clergy to the Epiſcopal Dignity, and other Eccleſiaſtical Preferments: They have preſerved the State, by advancing only Men of diſtinguiſhed Ability and Experience to all great Offices and Civil Employments: They have, which is above all, reconciled their own Animoſities, and have no other Contentions now, but who ſhall beſt ſerve his Majeſty and the Public, without any Views

of

of accumulating immenſe Wealth to themſelves, or of aggrandizing their own private Families. Such an Adminiſtration can never need the Aſſiſtance and Protection of above Eighteen Thouſand diſciplin'd Troops. Such an Adminiſtration ſhould not ſuffer the Army to run away with the Reputation of their good and great Works; or to aſſume the Glory of raiſing our Credit, enlarging our Trade, and eſtabliſhing our preſent Proſperity.

" Now I can never be ſo unjuſt to his Majeſty's moſt mild and gracious Government, as to aſcribe our preſent Tranquility to the Continuance of an extraordinary Number of Troops, any more, than I can believe, it would ceaſe at the Reduction of Part of them. This would be a dangerous, as well as an abſurd Doctrine, with relation to us at Home: For, ſhould it be admitted, that above Eighteen Thouſand Land Forces have not only procured our preſent Tranquility, but that they are abſolutely neceſſary to the Security of the Kingdom; then it will follow, that the ſame Number will always be abſolutely neceſſary; that a military Power is the moſt pacific Form of Government; and that an Army will be a better Preſerver of Peace and Plenty, a better Guardian of our Civil

Civil and Religious Rights, than the Law of the Land," *&c.*

The Queſtion in Parliament, like *Alexander*'s Sword, cuts the *Gordian* Knot, which can no otherwiſe be loos'd; and thus Mr. *Shippen* was confuted by 206 Voices againſt 69.

Of the Affair of the *Maſters* in *Chancery*, and the Proſecution ſtirr'd up againſt the Lord Chancellor *Macclesfield* this Seſſion, I ſhall ſay no more, than, That the Court *eſpouſed* it with a Zeal which it had never teſtify'd before againſt any *Public Criminal*, except the unhappy Perſons engag'd in the *Rebellion*, and the *Miniſters* employ'd by the late Queen; That moſt of the Managers againſt his Lordſhip, had the good Luck, not only to obtain the Thanks of the Houſe, but the *Favours* of the *Crown*; and That a Bill was paſs'd to * INDEMNIFY the *Maſters* who had purchas'd Places of him, on their appearing as *Evidences* againſt him.

With regard to the Supply, it was made good by thoſe Ways and Means which were now become the *Ordinary* of the Year, the *Land Tax*, *Malt* Bill, *&c.*

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* *Note*, When the *late Enquiry* was on Foot againſt *Robert Walpole* Earl of *Orford*, a Bill of the like Nature was over-rul'd.

And

And as to the EXTRAORDINARY, tho' his Majeſty had ſo very lately, procur'd his Civil Liſt-Debt to be plac'd to the Account of the People, and had *promis'd* to *retrench* for the future, another Meſſage was now deliver'd to the Houſe, importing, *That his Majeſty* FOUND *any conſiderable Retrenchments* IMPRACTICABLE; that he had engag'd in ſome *extraordinary* Expences, *&c.* and that he hoped he might be enabled to diſcharge the preſent Debts, contracted in his Civil Government.

Theſe Debts amounted to * 508,367 *l.* and *odd Things*, as they are ſtiled by the fine *City-Lady* in the *Comedy*.

Here beginneth the Oppoſition of *William Pulteney*, Eſq;

But tho', upon this Occaſion, we find the great † Mr. *Pulteney* once more at Variance with the *Miniſter*, and warmly con-

* And in the Debate, tho' not in the Accompt, ſome Part of them was ſaid to be owing to the *Congreſs* at *Cambray*.

† During the Warmth of the Debate, the following tender Particulars eſcap'd.

Mr. *Pulteney*. 'Tho' I wonder ſo great a Debt can be 'contracted in Three Years Time, I am not ſurpriz'd, that 'ſome Perſons are ſo eager to have the Deficiencies of the 'Civil Liſt made good, ſince they and their Friends have ſo 'great a Share in it.'

Mr. *Walpole*. 'Upon Examination of the Account given in 'of the Civil-Liſt Debts, it will appear, that moſt of the 'Ex-

contending for ‡ Accounts, *&c.* we find his Majeſty's Demand comply'd with (upon a Diviſion of 239 againſt 119) and that, after ſuch a Manner, as gave Riſe to the following ſevere Proteſt,

" Becauſe this Bill is to raiſe a great Sum of Money, which will, as we appreprehend, become a Burthen to the Public, and encreaſe that immenſe Load of Debt, which is already above Fifty Millions; and, therefore, in our Opinion, requires the utmoſt Application to diminiſh it, and cannot but give us the moſt melancholy Proſpect, whenever, eſpecially in a Time of Peace

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' Expences were either for the neceſſary Support of the Dig-
' nity of the Crown and Government, or for the *Public*
' *Good.* There is, indeed, a Penſion of 5000 *l. per Ann.* of
' *another Nature, viz.* upon Account of the *Cofferer*'s Place,
' which could not well be avoided; for both the Lord *Go-*
' *dolphin,* who had the Office, had deſerved ſo well of the
' Government, that they could not handſomely remove him
' without a Gratuity; and therefore a Penſion of 5000 *l.*
' *per Ann.* was given him to make room for the worthy
' Gentleman (Mr. *Pulteney)* who now enjoys that Poſt

‡ At the very latter End of this Seſſion theſe Accounts were obtain'd; and by them it appear'd, that in Four Years Time there had been iſſued for the *Privy Purſe, Secret Service, Penſions, Bounties,* and *Money without Account,* the Sum of 2,728,759 *l.* And when an Attempt was made in the next Seſſion to take this extraordinary Affair into Conſideration, it was over-rul'd by the Order of the Houſe, That no Paper deliver'd in a former Seſſion could be proceeded upon afterwards.

and

and Tranquility, we find any Addition is made to it; and ſince his Majeſty's Revenue, when firſt ſettled, was thought ſufficient by the Parliament, to anſwer all the neceſſary Expences of his Civil Government, and is *larger*, as we conceive, than that of his Predeceſſors: And ſince that Revenue has once already, and not long ago, received an Aid of the like Sum, we think we are fully juſtify'd in expecting an Account of the Reaſons of contracting ſo great a Debt; and becauſe that was *refus'd* to be laid before us, we are of Opinion we cannot diſcharge our Duty to our Country, if we ſhould thus *uninform'd*, and in the *Dark*, give our Conſent to this Bill; which being the Second of this kind, within a ſhort Compaſs of Time, we apprehend may prove of more pernicious Example."

The laſt *Extraordinary* of this Seſſion, which I ſhall take Notice of (for I will not inſiſt on that for *Diſarming* the *Highlands)* was a * Bill for *regulating Elections* within the City of *London*; which we are to ſuppoſe took its riſe from a Petition of *many* Citizens of the ſaid City, *ſetting* forth *ſeveral Grievances, and praying Relief:* But, un-

* By this Bill the Famous *Negative* upon the Common-Council was given to the *Lord Mayor* and *Aldermen.*

luckily, the Citizens of *London* firſt oppos'd this Bill at the Bar of the Houſe of Commons, and afterwards follow'd it with a Petition to the Lords; in which they ſet forth their Apprehenſions, That the ſaid Bill not only affected the *Rights* and *Privileges* of the *Freemen* in *particular*, but the *Government* of the *City* in *general*, which they endeavour'd to make out in ſeveral Particulars; which had ſo much Weight with the *oppoſing* Lords at leaſt, That a Motion was made to ask the Opinion of the *Judges*, whether This does *repeal* any of the Preſcriptions, Privileges, *&c.* of the ſaid City of *London*, *reſtor'd* to them, or *preſerv'd* by the Act, 2d *W.* and *M.* for reverſing the Judgment in a *Quo Warranto* againſt the ſaid City; which paſſing in the Negative, drew on a Proteſt; in which it is declar'd, That there is room to apprehend, that the Alterations made in this Bill, in the Conſtitution of the *Common-Council*, *&c.* may *utterly aboliſh* the *antient legal Title* of the *City to their Rights*, &c. and that the Opinion of the *Judges* was held the more *neceſſary*, becauſe no *Saving* was to be found in the Bill, or *Confirmation* of the *antient* Titles, *&c. reſtored* by the *former Law.*

Upon the Paſſing the Bill, another warm Proteſt was entered, which it is needleſs

to

to repeat; enough having been already ſaid to explain a Law which was calculated to ſerve ſo many *miniſterial* Ends, under ſo *popular* a Title.

May 31, the King clos'd the Seſſion with a Speech of Acknowledgments for the *Supply*, the Aid to the *Civil Liſt*, *Diſarming* the *Highlands*, &c. having, juſt before, no doubt, for wiſe Ends and Purpoſes, reviv'd the Order of the *Bath*; and, *June* 3, embark'd for HANOVER, where the celebrated Treaty diſtinguiſh'd by that important Name, was ſign'd, *Sept.* 3, having been firſt manufactur'd at *Paris*, by that renown'd Politician *Horatio Walpole*, Eſq;

Jan. 3. The King landed at *Rye*, from *Hanover*, and the 20th following open'd the Seſſion with a moſt gracious Speech, ſignifying, That the *diſtreſſed Condition* of ſome of our * *Proteſtant Brethren* abroad, and the *Engagements* enter'd into, by ſome *foreign Powers* (which *ſeem'd* to have laid the *Foundation* of *new Troubles*, and to threaten his *Subjects* with the Loſs of ſeveral Branches of their *Trade*) had oblig'd him to enter into a defenſive 1725-6.

* Thoſe of *Thorn*, that is to ſay, not of *France*.

Alliance (that of † *Hanover* above-mentioned) with the moſt *Chriſtian* King and *Pruſſia*, which, together with *their* Support, he truſted in God, would enable him to preſerve *the Peace and Balance of* Europe: He then hinted, That no greater Number of Forces would be neceſſary this Year than the laſt; prepared them, however to expect a Demand for an *Augmentation* by Sea; beſtow'd a Paragraph on the *Hopes* of the *Diſaffected*, now renew'd; and concluded all in the following ambidexter manner:

'When the World ſhall ſee that you will 'not ſuffer the *Britiſh Crown* and *Nation* 'to be *menac'd* and *inſulted*, thoſe, who 'moſt *envy* the *preſent Happineſs and Tran-* 'quility of this Kingdom, and are *endea-* 'vouring to make us *ſubſervient* to their 'Ambition, will conſider their *own Intereſt* 'and *Circumſtances*, before they make any 'Attempt upon ſo *brave a People*, *ſtrengthened* and *ſupported* by *prudent* and *powerful* Alliances, and tho' *deſirous* to *preſerve* 'the *Peace*, *able* and *ready* to defend them-

† To which the States-General were alſo invited to accede; but declined it for ſome time, and did not comply at laſt, without many Reſtrictions; which gave the Hint to the King of *Pruſſia* to declare off likewiſe.

ſelves

'ſelves againſt the Efforts of all *Aggreſſors*. 'Such Reſolutions, and ſuch Meaſures, '*timely* taken, I am ſatisfy'd, are the moſt 'effectual Means of *preventing a War*, and '*continuing* to us the *Bleſſings* of *Peace* and '*Proſperity*.'

The general Calm, which we had been more than once complimented upon, from the Throne, being now apparently at an End, and the Approaches of a Storm as apparently to be fear'd, it may perhaps be neceſſary to beſtow a few Paragraphs on our *Foreign* Affairs, that our *Domeſtic* may be the better underſtood.

We had been told, in his Majeſty's moſt gracious Speech, at the Opening of the Seſſion in 1721, *That nothing more than the* FORMS *of a* CONGRESS *were wanting to eſtabliſh the Public Tranquility*; and yet that *Congreſs* prov'd to be a Matter of *Form* only; as, no doubt, was then foreſeen: For on the one Hand, we diſoblig'd the Emperor, by entering into a * Secret Treaty

* To be found in *Rouſſet*, Tom. IV. p. 101. It is defenſive, and ſpecifies the Number of Troops to be furniſh'd by each of the Contracting Parties. There was likewiſe a Secret Article, if a Paper publiſh'd by the Imperial Miniſters at *Ratisbon* is to be depended upon; by which it was agreed, That the Troops to be introduc'd into *Tuſcany*, inſtead of *Neutral*,

with *Spain*, while we yet acted as Mediators, *jointly* with *France*; and by refuſing the *ſole* Mediation (which we had been courted to accept of) and the Non-performance of our Engagement, to deliver up *Gibraltar*, we diſoblig'd *Spain* as much on the other: The ſending back the *Infanta* likewiſe, incens'd the laſt of thoſe Powers to the full as much againſt *France*, as the Blow in the *Mediterranean*, &c. had, till then, incens'd her againſt us: And there was ſtill another Circumſtance which, perhaps, help'd on the Broil between the *Imperial* and *Britiſh* Courts yet more than all the reſt; I mean the Inveſtitures of *Bremen* and *Verden*, which had been requir'd by *Hanover* in a greater Latitude, than had ever been granted before, or could be legally comply'd with now; but which, we have been told * would have been ventur'd upon notwithſtanding, if we would have paid the *exorbitant Fees* demanded for that Service.

Both their Imperial and Catholic Maje-

Neutral, were to be *Spaniſh*. Another Treaty was ſign'd the ſame Day, by which, among other Articles, we oblig'd *ourſelves* to reſtore the Ships taken in the *Mediterranean*, or the Value of them.

* Firſt by Sir *R*—— *W*—— in Parliament; and afterwards by Mr. *Arnal* in one of his *Free-Britons*; who was likewiſe ſo good as to inform us, That the Sum demanded, was a *Million Sterling*.

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ſties being thus at Variance with their antient and natural Allies, thought it their Intereſt to be reconcil'd as faſt as poſſible to each other; and this was accordingly done by the Treaty of *Vienna*, which put an End to the Farce of Mediation, carry'd on under the Title of, *The Congreſs at Cambray.*

Now this ſaid Treaty of *Vienna* was expreſly founded on the Treaty of *London* of 1720, and contain'd no more than mutual Renuntiations, *viz.* of *Spain* by the Emperor, and of the hereditary Dominions of *Auſtria* by his *Catholic* Majeſty; and likewiſe ſuch other Diſpoſitions of certain Dominions in *Italy*, &c. as might prevent *any* future Miſunderſtandings between the Contracting Parties, *&c.* It wore, therefore, as innocent a Face as ever Treaty did; and to the People of *England* at leaſt, afforded rather Matter of Satisfaction, than Complaint.

But the *Ways* of Miniſters are not as *our Ways*, nor their *Reaſonings* like our *Reaſonings.*

We therefore find the moſt profound Mr. *Horatio Walpole*, with the Title of Excellency, ſent to *Paris*, as before-mention'd, and a Counter-Alliance form'd, ſince become famous, under the Stile and Title of the *Treaty of Hanover.* It was of this Alliance

liance his Majeſty was pleas'd to ſay ſuch great Things in his Speech; with what Reaſon, will beſt be underſtood, when my Readers recollect, That, except the Words *Trade* and *Guaranty*, which occur in the 2d Article, and that *tinkling Cymbal*, THE BALANCE OF EUROPE, which jingles in the 4th, there is not a ſingle *Item* in the whole Treaty that, to a common Eye, ſeems relative to the Intereſt of *England*; but more eſpecially, when they read the Fifth Article, which follows entire, and for which I think it is pretty manifeſt, the whole Tranſaction took place.

'As his moſt *Chriſtian Majeſty*, who, in 'Quality of Guarantee of the Treaties of '*Weſtphalia*, is particularly intereſted in the 'Preſervation of the Rights and Privileges 'of the *German* Body, and their BRI-'TANNIC and *Pruſſian* Majeſties, behold, 'with Regret, the Seeds of Diſcord that 'are ſowing, and hear, with Grief, ſuch 'Complaints as may at length break out, 'and occaſion a War, whoſe terrible Con-'ſequences would inevitably affect all *Eu-'rope*; their ſaid Majeſties, always *attentive* 'to what might one Day or other diſturb 'the Tranquility of the EMPIRE in PAR-'TICULAR, and that of *Europe* in *general*, 'promiſe and engage mutually to aſſiſt each 'other,

'other, for the *defending and preſerving the* '*above-mentioned Treaties*, and *other* Acts, 'which by their Determinations upon the '*Affairs* of the *Empire*, are look'd on as 'the Baſis and Foundation of the Tranqui-'lity of the *German Body*, and the Support 'of its Rights, Privileges, and Immunities, 'for the MAINTENANCE OF WHICH their 'ſaid Majeſties are truly deſirous of making 'a fix'd and ſolid PROVISION.'

But to prove undeniably, that this Treaty was calculated for the Meridian of that Place only, from whence it takes its Name; I will here inſert the Reflections made upon it at *Vienna*, as they were tranſmitted by the Imperial Court to Baron *Kirchner* the Imperial Commiſſary at *Ratisbon*.

1. "This Treaty was made and concluded in the Empire, by two Electors and Princes of the Empire, with a Foreign Power, againſt his Imperial Majeſty's and the Empire's Peace with *Spain*.

2. "It is contrary *in Formalibus & Materialibus*, both in Matter and Form, to the ſolemn Oath of Inveſtiture, and the Duty of a Member of the Empire.

3. "It is likewiſe contrary to the Peace of *Weſtphalia*, *Art.* 8. *Sect.* 2. and to the Tenour of the 10th Article of the Capitulation

tion made with the Emperor *Joſeph*, and the 6th of that made with the preſent Emperor, at their Elections. And for the ſame Reaſon it is contrary to the *Sect. Gaudeant, &c.* And more particularly, for that

4. " In the 2d Article of this Treaty, the Contractors have mutually engaged to give their general Guaranty to each other, for all Countries and Towns which they have and poſſeſs, as alſo for all their Rights, Privileges and Advantages. By which Means, Juſtice, and the Adminiſtration which is put into the Hands of his Imperial Majeſty, according to the Capitulation at his Election, and the Laws of the Empire, have no farther Place or Conſideration with theſe Contracting Parties. And therefore all and ſingular, whoſe Countries and People have been forcibly and unjuſtly ſeized by the aforeſaid two Kings of *England* and *Pruſſia*, as Electors and Princes of the Empire, or who ſtill are at Law with them, for their rightful Demands, can never more obtain any Right; and, therefore, with reſpect to theſe two Members of the Empire, all Right and Juſtice in the ſaid Empire is wholly deſtroyed, and conſequently they may act and do according to their own Will and Pleaſure with every one, and even with his Imperial Majeſty. With this View it is

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5. "Stipulated in the 3d Article of the Treaty, what Aſſiſtance in Men or Money one Ally is to ſend to the other, when any one of them is diſturbed in the *preſent Poſſeſſion* of all Countries and Rights, without ſpecifying whether *juſtly* or *unjuſtly* poſſeſſed.

6. "As this Article has broke thro' that Bond which, according to the Laws of the Empire, ought to laſt for ever between his Imperial Majeſty, as ſupreme Head of the Empire, and the Members thereof, as likewiſe between the ſaid Members one with another; and, as was ſaid before in the 3d Article, is made ſo contrary to thoſe ſolemn Oaths of Fidelity, which the Kings of *England* and *Pruſſia*, as Electors and Princes of the Empire, ſwore openly with a loud Voice before the Imperial Throne, and in the Preſence of the All-knowing and Almighty God, to his Imperial Majeſty, and to the Holy *Roman* Empire, at their Inveſtiture,

7. "So it is farther ſpecify'd in the 2d ſeparate Article, That, in caſe the Empire ſhould, out of Hatred to their Treaty, and the Aſſiſtances therein promiſed, declare War againſt the Crown of *France*, neither *Brandenbourg* nor *Brunſwick* would then furniſh, for ſuch War, the Contingent they ought to ſend to the Empire and the Circle;

cle; but would, on the contrary, do every Thing in Conjunction with *France*, till Peace ſhould be reſtored: Which diſſolves the whole Bond of the Empire, and rejects all Dependence and Obedience with reſpect to his Imperial Majeſty and the Empire.

8. "This is not only an actual Separation from the whole Empire, and an Union with thoſe, who in ſuch Caſe are declared Enemies of the Empire; both which are manifeſt Contraventions to the Peace of the Country, and to the other fundamental Laws of the Empire, which have been ſworn to, and which ſubject the Tranſgreſſors to the Penalties therein mentioned:

9. "But alſo in the 3d ſeparate Article likewiſe, the following Words are contained, among others, That in Caſe, on the Part of the Empire, a Reſolution ſhould be taken in Manner as is mentioned in that Article, to the Prejudice of the Kings of *Great Britain* and *Pruſſia*, the Crown of *France* ſhould openly take their Part, till the Trouble, Injury and Offence, ſhould wholly ceaſe: By this Means, the Recourſe of the Joint States to his Imperial Majeſty, and to the ſupreme Judicatories of the Empire, is entirely put an End to, with reſpect to the Contracting Members of the Empire; and conſequently all Right, Aſſiſtance

and

and Protection, together with all Juriſdiction and Power of Judging; 2. Likewiſe the Peace of the Country is at an End; 3. And the bringing in of Foreign Troops, which is not allowed, even to the Emperor himſelf, accordihg to the Capitulation at the Election: On the contrary, 4. Theſe ſaid Contracting Parties may, at any Time, according to their own Will and Pleaſure, ſeize by Force, the Rights they have, or pretend to have, and ſecure them by Foreign Nations againſt the Majeſty of the Emperor, againſt the ſupreme Judge and Lord, and againſt their Fellow-States.

10. "In this Manner, every one may ſee, that a formal Offenſive and Defenſive Alliance has been concluded againſt his Imperial Majeſty, and the *Roman* Empire; which, as has been ſaid before, is contrary to all the Oaths, and to the Duty of a Member of the Empire, and conſequently cannot paſs without great Diſturbance in the Empire, and likewiſe without the Danger, Damage and Oppreſſion of all the Rights and Juſtice belonging to the States thereof, with their Countries and People: And, therefore, to omit many other Things for the Love of Brevity, nothing remains to be done, or is more adviſeable than to oppoſe it honeſtly, like Patriots, with his Impe-

Imperial Majeſty, and not to accede to ſuch a Treaty, and to the other dangerous and precipitate Views concealed therein; but rather to contribute in Time, all that is poſſible, towards maintaining the public Tranquility in the Empire, and in all Chriſtendom."

And now to account for the Inſertion of the Word *Trade*, both in the ſaid Treaty and his Majeſty's Speech, it is proper, likewiſe, to remind the Reader, That the Emperor had furniſh'd the *Handle*, by making Uſe of his *own Sovereign Power*, to ſet up an *Eaſt-India* Company at *Oſtend*; and ſigning a Treaty of Commerce with *Spain*; by which his Subjects were admitted, by his Catholic Majeſty, to a Share of all the *Privileges*, allow'd to the *moſt favour'd Nations*; that is to ſay, the *Dutch* and *Engliſh*.

There are *yet* ſeveral curious Particulars to be touch'd upon, with relation to theſe Counter-Alliances of *Vienna* and *Hanover*; but as they belong, more properly, to the Buſineſs of the next Seſſion, where they will be explain'd by authentic Papers, it is now Time to return to that immediately before us.

Nothing could flatter the Views of the Court more agreeably, than the Addreſs of the

the Commons, which was equally calculated to *intimidate* abroad, and *amuſe* at home; the *ſame Spirit* prevailing in all our Councils; and *applauding* in one Place, what it *dictated* in another.

The Supply was carry'd with as much Facility as the Addreſs; and tho' the *Standing Army* was oppos'd, as uſual, by Mr. *Shippen*, and his Aſſociates, (who contended, at leaſt for the Reduction of the 4000 Men, rais'd on Account of *Layer*'s Plot) the Court was as *well ſerv'd* in this Point, as either of the former.

Sir *Robert Walpole*, the reigning Miniſter, and his former Aſſiſtant, Mr. *William Pulteney*, either were, or ſeem'd to be now, at open Enmity: And, as a Courtier in Diſgrace, deſires to be receiv'd into the Boſom of the People, we find the laſt of thoſe Gentlemen, about this Time, moving for a Committee to ſtate the Public Debt, as it ſtood in 1714, and at *Dec.* 25, 1725; diſtinguiſhing what hath, and what hath not, been provided for by the Parliament: But this being oppos'd by Mr. (now Sir *John*) *Barnard*, as well as the Chancellor of the *Exchequer*, who repreſented, ſuch a Meaſure as likely to encreaſe the * Alarm of

* Stocks, within a few Weeks, had ſunk 12 or 14 *per Cent.*

the money'd Men, Mr. *Pulteney* took Occaſion to declare, *That he made this Motion with no other View, than to give that* GREAT MAN (*Sir* R. W.) *an Opportunity to ſhew his Integrity to the whole World, and thereby finiſh his ſublime Character.* To which Sir *R.* reply'd, *That this Compliment would have come out with a better Grace, and appeared more ſincere, when that* FINE GENTLEMAN *had himſelf a Share in the Management of the Public Money, than now he was out of Place.*

Upon the Whole, the Motion was rejected by a Majority of 262 againſt 89.

Hitherto the Parties had only skirmiſh'd; but when the Treaties, before-mention'd, came under Examination, the Leaders of both aſſembled their whole Strength, and prepar'd to exert themſelves to the utmoſt. His Excellency Mr. *Horatio Walpole* open'd the Debate with a *Political Medley*, which laſted for an Hour and a Half; and in which he diſplay'd thoſe great Abilities which have render'd him ſo deſervedly famous: In particular, he favour'd us with a Genealogy of all the Treaties which had taken Place ſince the Acceſſion; and very adroitly grounded the preſent Troubles on the *Countenance* given by the Court of *Spain* to the *Oſtend* Company, and the *lively Repre-*

preſentations made thereupon, by his Majeſty, both to the Emperor and King of *Spain*; adding, indeed, a little unluckily, That theſe Complaints had been received at *Madrid* with Coldneſs; but at *Vienna* with ſuch Stiffneſs and Haughtineſs, that the Imperial Miniſters did not ſtick to inſinuate, That if his *Britannic* Majeſty perſiſted in his Reſolution to take Meaſures in Oppoſition to the Treaties of *Vienna*, his Imperial Majeſty would not only hold himſelf diſengag'd from the *Guarantee* of the *Proteſtant Succeſſion* to the Crown of *Great Britain*, but that the ſame might be attended with Conſequences, in relation to his Majeſty's DOMINIONS IN GERMANY.

In the two laſt Lines, we have the real Clue to the *Treaty* of *Hanover*; and, accordingly we find Mr. *Shippen*, during this very Debate, urging, in Oppoſition to it, That it would probably engage the *Britiſh* Nation in a War, for the Defence of his Majeſty's GERMAN DOMINIONS, contrary to an expreſs Proviſion made for the ſecuring our Religion, Laws, and Liberties in the *Act of Limitation*; which being the BASIS of the preſent *Settlement*, was become Part of our *Conſtitution*, and therefore ought to be *ſacred* and *inviolable*.

But, if Mr. *Shippen* had the Honour to enforce this Clauſe of the *Act of Settlement*, in behalf of his Country, Mr. *H. Pelham* had the Merit to explain it away; by inſiſting, that the ſaid Clauſe was not *wholly* and *for ever* to deprive his Majeſty's *foreign Dominions* of any Aſſiſtance from this Nation, *&c.* He therefore concluded with a *lumping* Motion, to approve every Thing which our Miniſters had done, *and to ſtand by and ſupport his Majeſty againſt all Inſults and Attacks that any Prince or Power, in Reſentment of the* JUST *Meaſures which his Majeſty has ſo wiſely taken, ſhall make upon* ANY *of his Majeſty's Territories or Dominions, tho'* NOT *belonging to the Crown of* GREAT BRITAIN; which, after ſome farther Debate, wherein the Lord *Finch*, (now Earl of *Winchelſea*) was pleas'd to inſinuate, That Providence beſtow'd the *Britiſh* Throne upon his Majeſty, as a Reward for the PIETY of his Anceſtors, was carry'd by 285 Voices againſt 107.

So much for the *Act of Settlement*; which, tho' binding to the People, was, it ſeems, to be no Reſtraint upon the Prince.

No Body, I believe, will wonder that, after we had thus formally adopted the *Hano-*

Hanover-Dominions,* a *Vote of Credit* ſhould be demanded for their Security: But, who can help wondering, that thoſe very † Perſons, who, when *out of Power*, oppos'd the Grant of 250,000 *l.* on Account of the Dangers apprehended from *Sweden*, ſhould *now*, not only adviſe a *Meſſage* of a like Nature, but, by that ſhameful Method of the *previous Queſtion*, over-rule Mr. *Shippen*'s Motion for an Account of the Diſpoſition of the ſaid Money; which, tho' promis'd, had never yet been comply'd with?

Such a Meſſage, however, came, but diſguis'd under the plauſible Pretences of *Trade* and *Navigation*, and the *particular Intereſt* of this Nation; and was comply'd with by a Majority of 270 Votes againſt 89.

The reſt of the Seſſion produc'd nothing material, except that precious *Job*, the *Pot-Act*, a Bill for the more effectual preventing of *Bribery* and *Corruption*, (which was ſuf-

* By way of Anſwer to the King's Meſſage on this Head, an Addreſs was voted by 270 againſt 89, That he will be pleas'd to make ſuch an Addition to the Number of Seamen, as his Majeſty ſhall, in his great Wiſdom, think will beſt conduce to the Service of the TRADE and NAVIGATION of this Kingdom, and to the Preſervation of the PEACE of EUROPE, and to aſſure him, that this Houſe will effectually provide for, and make good ALL ſuch Expences and Engagements as ſhall be made for obtaining theſe great and deſirable Ends.

† The *Walpoles*, &c.

fer'd to paſs the *Commons*, whom it more immediately concern'd, that it might be wreck'd elſewhere,) and a gracious Speech from the Throne, full fraught with Thanks, *&c.* at the Prorogation.

This Summer was remarkable for Three famous Naval Armaments and Expeditions, *viz.* one to the *North*, under Sir *Charles Wager*, to carry a LETTER to the *Czarina*, (Demanding her Reaſons for equipping her Fleet; and ſuggeſting, that ſhe was in a Confederacy with the *Pretender*; who in her † Anſwer laugh'd at the Inſi-

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† One Paragraph of which Anſwer is conceiv'd in the following Terms:

Theſe Circumſtances cannot induce us to believe, That your Majeſty's Miniſters ever had a ſerious Intention to conclude that Alliance (with *France* and *Ruſſia*;) but rather, that the ſending a Squadron of Men of War, together with Orders, thro' which it is eaſy to ſee an Interruption of Amity, and the Riſe of new Troubles in the *North*, is but the Conſequence and Reſult of the *Animoſity*, which ſome of your Miniſters have ſhewn publicly every where againſt us, for ſo many Years paſt. The Thing appears evident, from what your Majeſty alledges, and charges us with, in relation to the *Pretender*. Your Miniſters have rightly underſtood, that all the Reaſons by them ſuggeſted, (and which, abſtracted from that, do not *regard the Intereſt* of *Great Britain*, but are rather *diametrically oppoſite* to the ſolemn Treaties ſubſiſting between *Great Britain* and other Powers) are not to be admitted, and are inſufficient to juſtify their violent Enterprizes to Perſons diſintereſted: And not being able to find out any other Reaſon, that *frivolous* and *ſtale Accuſation* muſt be trump'd up, and *ſerve*, as heretofore, as the *main Pretence* for all the unkind Steps taken againſt us.

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nuation, and hinted, that the *Britiſh* Fleet was ſent into the *Baltic*, rather to *diſturb* the *Peace* of the *North*, than preſerve it ;) a Second to the Coaſt of *Spain*, under ‡ Sir *John Jennings*, and a Third under Admiral *Hoſier*, to block up the Galleons at *Porto-Bello*.

The Emperor, likewiſe, this Summer, prohibited the Importation of *Engliſh* Woollens into the Iſland of *Sicily*; and that our Merchants did not inſtantly feel the like Effects of our Court-Meaſures, both in *Ruſſia* and *Spain*, was no Fault of thoſe *enterprizing Miniſters*, who had given both thoſe Powers ſuch ſenſible Provocations.

Nor were theſe the only Fruits of the glorious Treaty of *Hanover*, as may be ſeen by the Two following Pieces; which I chuſe to inſert entire, that I may not be thought to miſrepreſent or aggravate Circumſtances that cannot be handled too tenderly in one Light, or too ſeverely in another.

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‡ Upon whom the *Spaniards* fired a few Shot at St. *Antonio*; but on their making an Excuſe, the Affront was put up.

The Memorial preſented by M. de St. Saphorin, *Envoy of his* Britannic *Majeſty, to Count* Sinzendorff, *Great Chancellor of the Imperial Court.*

SIR,

YOUR Excellency having deſired me to give you in Writing, what I deliver'd to you from the King my Maſter, by Word of Mouth, about a Fortnight ago; I ſhall do myſelf the Honour to acquaint you again, That his Majeſty is extremely ſurpriz'd to hear, that a Report has been ſpread, and very confidently affirm'd by ſome who belong to the Emperor, That his Majeſty had not only cauſed the *Treaty of Hanover* to be communicated to the *Ottoman Port*, by his Embaſſador at *Conſtantinople*, but that he had alſo endeavoured to excite them to enter upon a War with the Emperor; intimating, that the firm League lately form'd againſt him, gave the Sultan a favourable Opportunity of re-taking *Temeſwar* and *Belgrade*.

But his Majeſty was much more ſurpriz'd at being inform'd, that one of his Couriers, in his Return from *Conſtantinople*, was ſeiz'd at *Belgrade*, although he publicly wore the Badge of the King's Meſ-

Meſſengers, was provided with Letters from the Emperor's Envoy at *Conſtantinople* for the Prince of *Wirtemberg*, who receiv'd him ſuitable to his Character; and notwithſtanding that he declar'd, that he came with Diſpatches for his Majeſty and the Embaſſador of *France:* and tho', after detaining him Twenty-Eight Days, they, at length, ſuffer'd him to purſue his Journey, this Permiſſion was attended with ſuch Circumſtances as, in every Reſpect, afforded greater Matter of Complaint, both in Reſpect of the Manner in which his Serene Highneſs Prince *Eugene* explain'd himſelf on this Subject to the Duke of *Richelieu*, and inaſmuch as he thought fit to give an Anſwer only in the Name of Monſieur *Bruckhauſen*, to what was urged by the Miniſter of the King of *Great Britain*; who had, however, apply'd by Letter to his Highneſs himſelf; beſides that, the Perſon who brought him the Anſwer, told him, That tho' they had ſuffer'd the King's Meſſenger to purſue his Journey, it was only for this one Time, and becauſe he had brought with him a Letter from Monſieur *Dierling* to the Count of *Wirtemberg*.

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As the King my Maſter can look upon this Procedure no otherwiſe than as a Violation of the Law of Nations, and as a Manner of treating him, never made uſe of by one Prince to another, who ſtill lived in Amity together, he hopes that his Imperial Majeſty will order Satisfaction to be given him in this Matter, as I have poſitive Commands to require: And he is moreover ſatisfy'd, that his Imperial Majeſty will not refuſe doing it in ſuch a Manner, as may equal the Greatneſs of the Inſult which hath been offer'd him; ſince otherwiſe it is very viſible, that he cannot be perſuaded, but that the Report that has been ſpread of him, as well as the Stopping his Courier, is only the Conſequence of a Deſign, before laid, of coming to an open Rupture with his Majeſty, in purſuance of thoſe *Projects* which the Duke of * *Ripperda* declared to his Embaſſador were *form'd againſt* him, by the *Emperor* and his *Catholic Majeſty*.

Beſides, Sir, tho' I have no Orders for ſaying it, by reaſon of the unwarrantable

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* It is remarkable, That when this Miniſter was diſmiſs'd from his *Catholic* Majeſty's Service, he took Sanctuary in the *Britiſh* Embaſſador's Houſe, from whence he was taken by Force.

Manner

Manner of treating his Majeſty, I can however aſſure your Excellency, for my own Part, that thoſe Aſſertions that have been publiſh'd as certain and avow'd Facts, have not the leaſt Appearance of Truth; ſince his Majeſty has not ſo much as ſent Mr. *Stanyan* a Copy of the *Treaty of Hanover*; and has order'd him not to take any Step, or let ſlip any Expreſſion, that may give the leaſt Room to his Imperial Majeſty to take Umbrage; and moreover, the King's Miniſters would doubtleſs by his Order have explain'd themſeves in ſuch a Manner to thoſe of his Imperial Majeſty, as would not have fail'd to convince them, that all that had been reported was groundleſs, had not ſo injurious a Rumour been ſpread, before any Information was given to the King my Maſter: But ſo unexpected a Procedure too much concerns the Glory of the King, for him to think it proper to give an Account to any Perſon whatſoever of the Directions which he is pleas'd to give to his Miniſters at Foreign Courts. I have the Honour to be, *&c.*

De St. Saphorin.

Vienna, April 15, 1726, *N. S.*

The

The Anſwer of the Count of Sinzendorff, *to the Memorial of Monſieur* De St. Saphorin.

SIR,

SUppoſing that your Memorial given in Writing would have been confined entirely to the Affair of ſeizing the Courier at *Belgrade*, it was intended to have given you an Anſwer in brief; but as that of the 15th of this Month contains ſeveral other Circumſtances, his Imperial and *Catholic* Majeſty has order'd me to declare to you, that to this Hour, he has not concern'd himſelf in the Reports of which you take Notice, relating to the Information given by your Court to the *Ottoman Port*; and that in the Conference held between Prince *Eugene* of *Savoy* and the Duke of *Richelieu*, Embaſſador of *France*, Enquiry was not ſo much as made, whether the *Treaty of Hanover* had been communicated to that Court in Writing; but only in general, whether the Port had been inform'd of it, by way of inciting them to make War with the Emperor; and, in ſhort, whether the Orders ſent to Mr. *Stanyan* to that Purpoſe, had not been carry'd

carry'd by a Courier in Diſguiſe, who paſs'd here for an *Engliſh* Merchant.

It was with this View alſo, that Orders were given, as early as the 2*d* of *February*, to the Sieur *Palm*, Reſident at the Court of his *Britannic* Majeſty, to notify forthwith to the King or his Miniſters, the Contents of theſe poſitive Advices which had been received from *Conſtantinople*; all which intimated, that the *Britiſh* Embaſſador had had an Audience of the Grand Vizier, and that he endeavour'd to excite the *Turks* againſt his Imperial Majeſty. This is what hath been further reported; and from that Time to the Conference which Prince *Eugene* had with the Duke of *Richelieu*, it can be imputed to nothing but the general Voice, the Letters of all the Foreign Miniſters reſiding at *Conſtantinople*, who with one Conſent have ſpoken of it as a Matter both certain and public; and with Circumſtances more at large and particular, than all that hath been either ſaid here, or repreſented at *London*, by the Reſident *Palm*.

We, in a great Meaſure, gueſs, Sir, why you inſinuate in your Memorial, as of your own Accord, and without Orders, That his *Britannic* Majeſty had not ſo much as ſent Mr. *Stanyan* a Copy of the Treaty:

Treaty: But without ſearching into the Bottom of the Matter, we may reply to you, That the Grievance of this Procedure, till now unheard of, and which we never ſhould have expected from the King your Maſter, conſiſts not in the *Treaty of Hanover*'s being communicated by a *Copy*, but in that it was *really* imparted to the *Turks*; and that by Means of it, Endeavours were uſed to excite them againſt the Emperor.

But as it is neceſſary to ſhew more particularly what hath happen'd in reſpect to that Matter, I am to tell you, Sir, by his Imperial Majeſty's Order, That in the Month of *December* laſt, there came hither, as you know, a certain Perſon who apply'd himſelf to Monſieur *Bruckhauſen*, under the Name and Quality of an *Engliſh* Merchant, being conducted by your Secretary, who having given an Account of him to Prince *Eugene*, he cauſed a Paſſport to be got ready for him, according to Cuſtom, for purſuing his Journey into *Turky*, thro' his Imperial Majeſty's Dominions: That, nevertheleſs, this ſame Perſon arriving at *Conſtantinople* on the 14th of *December*, appear'd there not as a Merchant, but as a Meſſenger of the King of *Great Britain*, with important Orders for his

his Embaſſador Mr. *Stanyan*; That in Fact, on the 20th of the ſame Month, that Miniſter had an Audience of the Grand Vizier, and * *notify'd* to him the *Alliance* made at *Hanover* between the King his Maſter and the Kings of *France* and *Pruſſia*; greatly magnifying the *exorbitant Power* of the Emperor, and the Danger that might befal the Princes and States of *Europe*; repreſenting to him, that the *Porte* had now a *favourable Opportunity* of recovering their *former Loſſes*; aſſuring him, that if Endeavours were made towards it, the Allies of *Hanover* would come to *no Accommodation* without the *Port*'s receiving *entire Satisfaction*; and that all this ſhould, in like Manner, be imparted to him, and confirmed by the *French* Embaſſador in the Name of the King his Maſter. That it is true, indeed, that two Days after, diſcourſing with the Imperial Reſident *Dierling*, he aſſured him, that nothing had been tranſacted in the Audience which he had had of the Grand Vizier, prejudicial to the Intereſt of his Imperial Majeſty; adding withal, that he hoped no ſuch Orders would

* The ſame Thing was laid to the Charge of the *French*, but was Solemnly deny'd both by their Miniſter and ours, at the Diet of *Ratisbon*.

ever

ever be given him; but that it is alſo very certain, that, from that very Time, the ſaid Reſident was inform'd to the contrary, by ſuch Means as he could and ought to depend on; that all the People, even of *Conſtantinople*, had got ſuch a Notion, and that they made no Myſtery of it at the *Port*.

Such Informations as theſe muſt neceſſarily have obliged the Emperor to take ſome Precautions. His Orders were ſent on the 23d of *January*, to all the Generals and commanding Officers on the Frontiers of *Turky*, to let no Body paſs, either going or returning, without giving Notice thereof to the Court; whereupon the Meſſenger arriving at *Belgrade*, the Duke of *Wirtemberg* Governor of *Servia*, could not avoid detaining him till farther Orders; altho', upon finding himſelf ſtopt, he at laſt diſcover'd his Badge of an *Engliſh* Meſſenger, and deliver'd the Prince of *Wirtemberg* a Letter from the Reſident *Dierling*, in which he was ſo ſtiled.

What happened upon this, you are acquainted with, Sir, better than any Body. The Duke *de Richelieu* went to Prince *Eugene*, and deſired him to releaſe the Meſſenger, who brought Letters for him and his Court; and you yourſelf wrote to him the next Day to the ſame Purpoſe; your Health

Health not permitting you to go in Perſon. The Matter was reported to his Imperial Majeſty, who, notwithſtanding all the Circumſtances of the Fact, was pleaſed to give Order, that the Meſſenger, for this Time, might proceed on his Journey. At the ſame time, Monſieur *Bruckhauſen* had Orders, according to the receiv'd Cuſtom of this Court, to give Notice of it to the Duke *de Richelieu* and yourſelf; which he would have perform'd in Perſon, had it not been for an Indiſpoſition, that is ſo real, that he is actually dying; therefore, that he might loſe no Time, he entruſted it to an Officer of the Chancery, to whom you did not ſcruple to own, that the Meſſenger was the ſame Perſon that paſs'd here for an *Engliſh* Merchant, and as ſuch had obtain'd a Paſſport to go to *Conſtantinople:* But then you lay the Fault upon your Secretary; as if ſuch Contrivances could happen thro' Overſight or Inadvertency, eſpecially in reſpect to a Meſſenger of the Crown of *Great Britain*, who is a public Perſon, and highly oblig'd, by every Day's Employment, to wear openly the Badge of his Office; and cannot conceal it, without bringing himſelf under a Suſpicion of ſome ill Deſign.

We leave all the World to judge, whether the detaining ſuch a Perſon as this, in

a Frontier Town, who was returning from ſuch an Errand, and who was nevertheleſs releaſed afterwards out of Regard to his *Britannic* Majeſty, can afford any Room to require Satisfaction for a Violation of the Law of Nations; if, on the other ſide, his Imperial and Catholic Majeſty, had not good Reaſon to complain of it?

Beſides, we know very well WHY what was ſaid by the Duke *de Riperda* is confounded with this Matter, tho' it hath naturally *no relation* to it; which, together with the Emperor's Conduct in the whole Courſe of this Affair, will diſcover to *whom* we have Reaſon to attribute theſe *premeditated* Deſigns of a Rupture, and to *whom* the Violation of the Law of Nations ought REALLY to be *imputed.*

I have the Honour to be, &c.

Things being in this untoward 1726-27. Situation, *January* 17, the Parliament met, and his Majeſty, in his *moſt gracious Speech*, acquainted both Houſes, That a ſecret and *offenſive* Alliance had been concluded between the *Emperor* and *Spain*; and that the *placing* the *Pretender* on the *Britiſh* Throne was one of the *Secret* Articles of that Treaty: That *Ruſſia* would have been *concern'd* in the *Invaſion*, if not

pre-

prevented by the *Britiſh* Fleet, ſent to the *Baltick:* Whereupon his Allies of *France* and *Holland*, had augmented their Forces, and *Sweden* and *Denmark* were about to accede to the *Hanover*-Alliance; and he did not doubt but his Parliament would aſſiſt him to perform his Part: That the *Spaniſh* Miniſter was recall'd abruptly, and had left a * Memorial behind him, little ſhort of a *Declaration* of *War*, wherein he demanded the Reſtitution of *Gibraltar*, and made the recalling the Squadrons his Majeſty had ſent to the *Mediterranean* and the *Weſt Indies*, the Condition of any farther Correſpondence betwen the Two Crowns; looking upon the Continuance of thoſe Fleets abroad as actual Hoſtilities, and threatniug to repell them by Force: That the King of *Spain* was actually aſſembling an Army in the Neighbourhood of *Gibraltar:* But he had *undoubted Intelligence*, their firſt and *principal* Deſign was to *invade* theſe Kingdoms: He demands therefore of the Commons the Supplies neceſſary for the *Defence* of THEIR COUNTRY; and, as they had, the laſt Year,

* In this Memorial, He declar'd, *That* the *violent State to which Affairs was reduc'd, was owing to the Miniſters of* ENGLAND.

enabled him to lay out what Money HE thought *neceſſary*, he hop'd they would repoſe the *ſame Truſt* and *Confidence* in him again; that his *Neceſſities* ſhould never make him *touch* the SINKING FUND, but deſires, they would apply it to the Uſe it was deſign'd.

It is obſervable, That, early in the laſt Seſſion, when the late Treaties were under the Conſideration of the Lords, the Duke of *N*——— acquainted the Houſe with a Paſſage out of a Letter of Mr. *Stanhope*'s, his Majeſty's Miniſter in *Spain* (now Earl of *Harrington*) which ſignify'd, *That in a private Converſation, the Duke of* Ripperda *had not ſcrupled to own, That, beſides what had been already* communicated *to him about the late Treaties of* Vienna, *there were ſtill ſome other Secret Articles, which, in due Time, ſhould be made Public, whereby the Contracting Parties mutually engag'd to aſſiſt each other with a certain Number of Troops, in* ORDER *to ſupport the* Oſtend *Company and recover* Gibraltar.

Not a Word of the *Pretender*, or an *Invaſion*, and yet this *Tattle* of *Ripperda*'s ſeems to have been the only Foundation for the Pretence of ſo much Danger, or the putting the Kingdom to ſo much Charge; as is farther Apparent from the

Secret

Secret Treaty itſelf, which was conceiv'd as follows.

I. There ſhall be between his Imperial Catholic Majeſty and his Royal Catholic Majeſty, a ſolid and ſincere Amity, which ſhall be mutually cultivated, in ſuch Sort that the one ſhall procure all Advantages for the other, as if they were for himſelf, and the other ſhall return the ſame.

II. And it being repreſented by the moſt Serene King of *Spain*, that the Reſtitution of *Gibraltar* with its Port, had been PROMISED by the King of *Great Britain*, and that his Catholic Royal Majeſty does inſiſt upon the Reſtitution of *Gibraltar* with its Port, and likewiſe of the Iſland of *Minorca* and *Port Mahon*; it is declared on the Part of his Sacred Imperial Majeſty, that he will not in any Manner *oppoſe* this Reſtitution, but as far as he is able, employ all *good Offices* to this Purpoſe, and if the Parties deſire it of him, accept the Mediation.

III. The moſt Serene King of *Spain*, *Philip* V. to give a moſt evident Proof of the Sincerity of his Friendſhip, promiſes and engages to permit all Ships of his Imperial Majeſty's Subjects of what Nation ſoever they be, to enter freely into all the

Ports of *Spain*; and ſo as they may trade with all Freedom and Security, and enjoy all the Privileges and Prerogatives that any the moſt favoured Nation does enjoy, (as the *French* do at preſent, and as the *Engliſh* formerly did) and that too from the Day of the Publication of this Peace; which ſhall be publiſhed immediately in all Ports and Places convenient, as it is agreed in the Treaty of Commerce ſigned this Day.

IV. And in Caſe the Ships of his Imperial Majeſty ſhall be attacked on this Account, on this, or on the other, Side the Line, his Catholic Majeſty promiſes to make it the Common Cauſe, and to take Vengeance and Reparation for the Injuries and Damages they ſhall ſuſtain.

In like Manner, if the Ships of his Catholic Majeſty ſhall be hoſtilely attack'd, either on this, or on the other, Side of the Line, on this Account, his Imperial Majeſty promiſes likewiſe to make it the Common Cauſe, and to take Vengeance and Reparation for Injuries and Damages ſuſtained.

V. And whereas by the Quadruple Alliance, for the Security of the Realms, Dominions, and Provinces poſſeſſed by the contracting Powers, it was ſtipulated, that they

they ſhould become reciprocal Guaranties; it is nevertheleſs found neceſſary by the preſent Alliance, to explain more at large what is meant by the Word *Security*, and better to provide for what may happen. For this Purpoſe therefore, and to confirm more ſtrongly the Amity begun between his Imperial and his Catholick Majeſty, it is thought neceſſary to particularize as follows, the Succours with which each Party is to furniſh the other for their mutual Security, *viz.*

If the Emperor, his Kingdoms, and Hereditary Dominions, in whatever Place ſituate, ſhall be hoſtilely attacked, or if the War, begun in another Country, ſhall be carried thither, that then his Catholic Majeſty promiſes to aſſiſt and ſuccour his Imperial Majeſty with all his Forces both by Land and by Sea; and particularly to furniſh a Navy of at leaſt fifteen large Ships of War, commonly called *Line of Battle Ships*; and beſides this, an Army of 20,000 Men, that is to ſay, 15,000 Foot, and 5000 Horſe, their Winter Quarters to be provided by the Emperor.

His Catholic Majeſty to be excuſed if he ſhall furniſh Money inſtead of Troops, after the Rate of 8000 Florins a Month for every 1000 Foot, and 24,000 for

every 1000 Horſe, payable, at the Times ſtipulated, by the *Genoeſe*, in the Town of *Genoa*.

And if the King of *Spain* ſhall not furniſh the Ships ſtipulated, he ſhall ſend an Army of 10000 Men, or Money for them, according to the Calculation above-mentioned.

In like Manner, his Imperial Majeſty promiſes and engages to ſuccour his Catholic Majeſty with all his Forces both by Land and by Sea, in Caſe his Catholic Majeſty's Dominions in *Europe*, or elſewhere, ſhall be hoſtilely attacked; and particularly to ſend to his Aid 30,000 Men, that is to ſay, 20,000 Foot, and 10,000 Horſe, to be provided with Winter Quarters by his Catholic Majeſty.

VI. The Embaſſadors Extraordinary and Plenipotentiaries of the two Powers contracting, promiſe reſpectively, that this particular Treaty of Alliance and Amity ſhall be ratified by his Imperial Majeſty, and by his Catholic Majeſty, according to the Form mutually agreed; and that the ſolemn Acts of Ratification ſhall be exchanged within Three Months, or ſooner if poſſible.

Under Faith of which, the ſaid Miniſters, Embaſſadors Extraordinary, and Plenipo-

nipotentiaries, have ſigned with their own Hands this Inſtrument of Alliance and particular Amity; and confirmed it with their Seals, *&c.*

Done at *Vienna* in *Auſtria*, *April* 30, 1725.

Eugene de Savoye,
Philip Lewis, Count *de Zinzendorf*,
Gundaker, Count *de Staremberg.*
John-William, Baron *de Ripperda.*

But however effectually, the communicating this *Secret Treaty* abſolved his Imperial Majeſty from the principal Matters laid to his Charge, the following ſevere Memorial was preſented to the King by M. *de* * *Palm*, the Imperial Reſident, and likewiſe diſpers'd all over the Nation:

Moſt Serene and Potent King,

AS ſoon as the Speech made by your Majeſty to the Parliament of *Great Britain* now aſſembled, came to the Knowledge of his Imperial and Catholic Majeſty, my moſt gracious Maſter; he was ſtruck with the utmoſt Aſtoniſhment, that your Majeſty could ſuffer yourſelf to be prevail'd upon to declare from the Royal Throne, to that moſt renown'd Nation, in a Manner

* For which he was order'd to depart the Kingdom forthwith.

hither-

hitherto unheard of, as certain and undoubted Facts, ſeveral Things, ſome of which are ſtrain'd in that Speech to a wrong Senſe, ſome are entirely diſtant from the Intentions of his Imperial and Catholic Majeſty; and laſtly, (which affect much more ſenſibly than all the reſt) ſome Things abſolutely void of all Foundation.

For as to what regards the Peace concluded at *Vienna* with the Moſt Serene King of *Spain*, who can forbear being aſtoniſh'd, that this very Peace, which is built on the Quadruple Alliance ſign'd at *London*, and other Treaties contracted with your Majeſty, as its ſolid and ſole Foundation; and for the obtaining of which Peace, your Majeſty, together with your Allies, waged ſo bloody, ſo long, and ſo glorious a War, and took your ſelf ſo much Pains to procure, ſhould now be alledged by your Majeſty as a juſt Ground of Complaint, and ſhould be made uſe of as a Pretence for thoſe Things, which hitherto your Miniſters have been doing in all Parts, to the great Detriment of the Emperor and the Empire, and the Public Tranquility, and ſhould be repreſented by your Majeſty to the *Britiſh* Nation, with ſo much Animoſity againſt the Emperor and King of *Spain*, as a Violation of Treaties?

After

After complaining of the Peace made at *Vienna*, Complaint is likewiſe made of the Treaty of Commerce enter'd into with *Spain*, which is calculated to promote the mutual and lawful Advantages of the Subjects of both Parties, which is agreeable to the Law of Nations, and to the Cuſtoms of all People in Amity with each other; which can in no reſpect be of any Prejudice to the *Britiſh* Nation, whether we regard the Situation of the Countries, or the particular Nature of the Trade, and which is not in the leaſt repugnant to the Treaties made with *Great Britain:* So that if this Treaty be conſider'd with a Mind free from Prejudice, and from all Deſign of inflaming the Nation, there will remain no Pretence to ſay, that this Treaty can be grievous or hurtful to a Nation for which his Imperial Majeſty has the greateſt Affection and Eſteem, and whoſe glorious Exploits and important Succours no Time will efface out of his Memory.

The other Head of Complaint, which contains ſuch Things as are void of all Foundation, relates principally to that *imaginary* Alliance, which in the Speech is call'd *Offenſive*, and is there ſuppos'd to have been made againſt your Majeſty, between the Emperor and King of *Spain*. But it will not

not only appear how groundleſs and frivolous this Suppoſition is, from the Offer lately made by his Imperial and Catholic Majeſty, of entering into a Convention, *De ſe mutuo non Offendendo*, but will be entirely refuted by the Conſideration of the Tenor of the *Treaty of Alliance* and *Friendſhip* itſelf made with the Crown of *Spain*, and communicated in its *whole Extent* to your Majeſty when it was proper; from the Words of which, whether the leaſt Shadow or Appearance of an Offenſive Alliance can be drawn, is ſubmitted to the Judgment of the whole World.

Another Part of the Complaint relates to the *Secret Articles made in Favour of the Pretender*, whereof your Majeſty aſſerts, that you have *certain* and *undoubted Informations*, by which Articles it ſhould have been agreed to ſet the *Pretender* on the Throne of *Great Britain*. With what View, on what Motive, and to what Purpoſe, theſe Informations, founded on the falſeſt Reports, were repreſented to the People of *Great Britain*, is not only eaſy to be underſtood by his Imperial and Catholic Majeſty, but is obvious to the meaneſt Capacity. But, ſince the inviolable Dignity and Honour of ſuch Great Princes cannot ſuffer that Aſſertions of this Nature, entirely unſupported by Truth,

Truth, ſhould be advanced from the Royal Throne to the whole Nation, and to all Mankind, his Sacred Imperial and Catholic Majeſty has expreſly commanded me, that I ſhould declare to your Majeſty, and to the whole Kingdom of *Great Britain*, how highly he thinks himſelf affronted thereby; ſolemnly affirming, upon his *Imperial Word*, that there exiſts no ſecret Article nor CONVENTION whatſoever, *which contains*, or *can tend* to *prove the leaſt Tittle of what has been alledged.*

But that the ſecret Deſigns, which lie conceal'd under a Conduct till this Time unheard of, may more manifeſtly appear, it muſt be obſerv'd, that the Time is purpoſely taken for doing this, when a Negotiation is on Foot at *Paris*, for compoſing the Differences which have ariſen without any Fault of his Imperial and Catholic Majeſty; which Negotiation ſufficiently ſhews how much his Imperial and Catholic Majeſty is at all Times inclined to Peace, and to the religious Obſervation of his Treaties.

As to what is ſaid of *Gibraltar*, and concerning the Siege thereof, under which, in the Speech it is inſinuated, as if ſome other Deſign was concealed; the Hoſtilities notoriouſly committed in the *Indies* and elſe-

where,

where, againſt the King of *Spain*, in Violation of Treaties, ſeem to have given a very juſt Occaſion to the King of *Spain* for attempting that Siege. But as to the Intentions and Engagements of the Emperor upon that Article, it is eaſy to ſee what they are, by the Treaty abovemention'd, which has been communicated.

As to what is ſaid in the laſt Place, concerning the *Oſtend* Trade, which the Goodneſs of the Catholic King induc'd him to favour (being bound by no Treaty) after he had been appriz'd of the juſt Reaſons for the Eſtabliſhment of it, various Expedients for a Compoſition have been propos'd, not only at the *Hague*, but even lately at *Paris*, leſt this harmleſs Method of providing for the Security of the Barrier, ſhould prove an Obſtacle to the common Friendſhip of Neighbouring Powers.

Which Things being thus, the Injury offer'd to Truth, the Honour and Dignity of his Sacred Imperial and Catholic Majeſty require, that they ſhould be expoſed to your Majeſty, to the Kingdom of *Great Britain*, and to the whole World. And his Sacred Imperial Majeſty demands that Reparation which is due to him by all manner of Right, for the great Injuries which have been done him by theſe many Imputations.

In

In Count *Sinzerdorf*'s Letter of Inſtructions, for drawing up the above Memorial, are likewiſe the following remarkable Paſſages,

" It is eaſy to ſee, that the *Speech* was made for *no Purpoſe*, but to excite the Nation to a *Rupture*, and open War with the Emperor and *Spain*, and to make the *Parliament* approve the *precipitate* and *burthenſome* Meaſures which the Government has taken for *private Ends, but too well known*; That not only unwarrantable Inferences and Pretences have been made uſe of, but that manifeſt Falſhoods have been boldly advanc'd for indiſputable Facts; a Proceeding never ſeen before among Powers who ought to reſpect each other, when in the moſt flagrant Wars; from whence it ought to be preſum'd, that the King, whoſe ſacred Mouth ought to be *an Oracle of Truth*, muſt have been himſelf *abuſed* by the *Suggeſtions* and *falſe Reports* of thoſe, who have the Honour to poſſeſs his Confidence; and who think it their *Intereſt* to *inflame*, by theſe Means, both the *Prince* and the *Nation*, for their own *private* Views and *Perſonal Preſervation*, without any Regard to the Honour of the Majeſty of the Throne, or to the *Evils* which may refult from hence

hence to their *own Country*, and to all *Europe*.

For theſe Purpoſes they eſtabliſh a Foundation, and lay down as a certain Fact, that there is a poſitive Article in the Treaty of Alliance between the Emperor and the King of *Spain*, to place the *Pretender* on the Throne of *Great Britain*, and to invade that Kingdom with open Force; and this they do, a few Days after the Miniſter Plenipotentiary of the Catholic King had, before his Departure from *London*, in a Memorial preſented in the Sacred Name of his Maſter, publicly and in the moſt authentic Manner, diſavow'd theſe Imputations, which ſufficiently prove the Emperor's Diſavowal of the ſame, ſince the pretended Article was equally imputed to the Two Powers, and one of them could not have ſtipulated any thing in the ſame Treaty without the other. Beſides which, it is to be conſider'd, that ſix Months ago, upon the firſt Reports of theſe falſe Suppoſitions, the Emperor and King of *Spain*, in order to ſilence them, propoſed a formal Act, *de non offendendo*, into which all the Allies on one Side and the other might enter, and which would effectually have ſecured the *peaceable Poſſeſſions* of each of the Powers contracting, either in the Treaty of *Vienna*, or that of *Hanover*,

Hanover, till ſuch Time as it had been poſſible, by one general Treaty to remove and quiet the Complaints of all Sides: But theſe Propoſals were render'd *ineffectual*, by the ſame Views of *thoſe Perſons*, who choſe rather to hinder the peaceable Effects of theſe juſt Deſigns, by Attacks and open Hoſtilities."

Having thus, from theſe authentic Papers, thrown all the neceſſary Lights on the *Criſis* before us, we return to the immediate Buſineſs of the Seſſion.

His Majeſty's moſt *gracious Speech* being read, according to Form, in a Committee of the whole Houſe, a Motion was made by Mr. *Onſlow* to have it *echoed* back in the Addreſs with all the Duty, Loyalty, and Punctuality imaginable: This, however, was warmly oppos'd; Some alledging the Abſurdity of approving Meaſures to prevent Dangers, before they knew what thoſe Meaſures were, or whether thoſe Dangers were real: And others comparing our Politics to *Penelope*'s; *Doing* and *Undoing*; calling the *Pretender* a *State-Bugbear*; repreſenting an Invaſion to be impracticable, without the Help of *Gulliver*'s *Floating Iſland*; declaring that the only Affair of any Moment to *England*, viz. the *Oſtend*-Company might have been *nipp'd* in the Bud, for 10000 *l.* and inſinuating, that

the *Acquiſition* of *ſome Dominions* abroad, (*Bremen* and *Verden*,) had ſow'd the Seeds and produc'd the Diviſions which now diſtracted *Europe*.

But, tho' it is evident, that Evaſions, Fallacies, Gloſſes, and falſe Lights, make but a poor Figure againſt Facts, tho' it was admitted by the *Miniſter* himſelf, that the K. of *Spain* had very * WARRANTABLE PRETENSIONS to *Gibraltar*, tho' he only purg'd *himſelf* from *any Concern* in the *Promiſe* on which they were founded, tho' he produc'd no Proofs, that any Danger from the *Pretender* ever exiſted, and, in ſo many Words, granted, that it was now pretty well *over*; the Addreſs was ſwallow'd *whole*, by 281 Voices againſt 81.

Some Days after, a Motion being made for a Copy of the † *Memorial*, preſented by Mr. *Poyntz*, his Majeſty's Envoy Extraor-

* It muſt not be forgot, that a Motion was made in Form, during this Seſſion, for a Copy of the *Engagement* relating to *Gibraltar*, call'd in the *Spaniſh* Miniſter, the Marquis *de Pozobueno*'s Letter to the Duke of *Newcaſtle*, a *poſitive Promiſe*; but the Courtiers got rid of the Difficulty by the Previous Queſtion 204 againſt 91.

† In which he tells the *Swedes*, That ſuch was his *Britannic* Majeſty's Concern for the Tranquility of the *North*, that He had ſent a powerful Squadron into the *Baltick*, before any *Requiſition* had been made thereof, to protect them from any immediate Danger from the Armaments of their Neighbours, (which were making in CONCERT with *Sweden* againſt *Sleſwick*) and likewiſe offer'd them a Net Subſidy of 100,000 Ducats a Month.

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dinary to the King of *Sweden*, relating to the Acceſſion of that Crown to the Treaty of *Hanover*, it paſs'd in the *Negative*; as did likewiſe Another, for the *Secret Offenſive* Alliance between the *Emperor* and *Spain*, (inſerted above) upon which Two Papers the chief Buſineſs of the Seſſion turn'd.

On the other hand 20000 Men were granted for the Service of the Navy; and when 8000 Foot and Dragoons were demanded by Mr. *H. Pelham*, as a *neceſſary Augmentation* to the STANDING ARMY, it was carry'd by 250 againſt 85. His Majeſty, moreover, having hired 12000 * *Heſſians*, (for what *Service* the dulleſt Reader cannot be at a Loſs to gueſs) 125,000 *l.* was granted for the Raiſing and Maintaining them, and 170,000 *l.* on Account of the *Subſidy*, to the *Landgrave* their Maſter.

Beſides all theſe Precautions, by way of Inducement to † *Sweden* to accede to the

* See the *Caſe of the* Heſſian *Forces* in the *Craftſman*, Vol. VI.

† While Mr. *Poyntz* was negotiating this Point at *Stockholm*, the *Imperial* Miniſter there preſented a Memorial to his *Swediſh* Majeſty, tending to expoſe the miſchievous Conſequences of the *Hanover* Alliance, not only to *Sweden* in particular, but *Europe* in general; *England*, ſays he, ſparing neither Pains nor Perſuaſions to engage the Court of *France* in open War with his Imperial Majeſty; having propos'd, that *France* ſhould ſend towards the *Moſelle* and the *Rhine* 70,000 Men, into *Catalonia* 20,000, into *Brabant* 30,000, as many

on

Treaty of *Hanover*, our provident Miniſters agreed to pay the *Swedes* a Conſideration of 50,000 *l.* a Year for Three Years, tho' the ſaid Treaty did not lay the *Swediſh* Crown under ſo *many Obligations* as former Treaties; as we find it urg'd by Count *Horn* to the States of that Kingdom.

To defray all theſe and many more extraordinary Expences, a Tax of 4 *s.* in the Pound was laid upon the Land; the Surpluſſes of the Coal Tax were * mortgag'd for 370000 *l.* (tho' it was urg'd, that all Surpluſſes belong'd to the *Sinking Fund*, and conſequently the Alienating any of them claſh'd even with the King's Speech) and another *Vote of Credit* was † wedg'd into the Malt Bill, tho' the Grants already made, amounted, within a Trifle, to Three Millions.

Having ſeen the Court thus arm'd at all Points, let us next return to the Progreſs of the *Oppoſition.*

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on the Side of *Holland*, 30,000 *Danes* in the Pay of *England* and *France* into *Lower Saxony*, who were likewiſe to be join'd with 18000 *Hanoverians* and 12000 *Heſſians*, that a War might be kindled in the Heart, and on the Frontiers of the Empire at once.

* On a Diviſion of 209 againſt 82.

† By 225 againſt 109; upon this Occaſion Mr. *Hungerford* took the Liberty to ſay, "That having already *given* 4 *s.* in the Pound upon Land, the admitting this Clauſe of Credit, would be clapping a Tail to the Whale, which might ſweep away the other *Sixteen.*"

Feb.

Feb. 7. A Motion was made to addreſs for all ſuch Memorials or Repreſentations, from the Crowns of *Sweden* and *Denmark*, as induc'd the King to ſend the Squadron to the *Baltick* laſt Year, at ſo great an Expence to the Nation : NEGATIVE 196 to 79.

Feb. 10. An indigeſtable *Item* appearing in the Account, ſhewing how the Money given for the Year 1726, had been diſpoſed of, *viz.* of *One Hundred and Twenty-five Thouſand* Pounds, charg'd in *general Terms*, as iſſued for other Engagements and Expences than were ſpecify'd, Mr. *Pulteney* inſiſted, that, before the ſaid Account was referred to the *general Committee*, the Houſe ſhould be made acquainted with the particular Diſpoſition of ſo conſiderable a Sum ; but the contrary was voted by 178 againſt 78.

It being apprehended, however, that ſuch a Proceeding as this would be attended with diſagreeable Conſequences, an Addreſs was *permitted* to paſs both the Committee and the Houſe, for an Account of the Diſtribution of the ſaid Sum ; to which his Majeſty was pleas'd to anſwer, That the Sum in queſtion *had been disburs'd, purſuant to the* POWER *given to his Majeſty by* PARLIAMENT, *for* NECESSARY *Services and Engagements of the* UTMOST *Importance to the* TRADE *and*

NAVIGATION *of this Kingdom, and the* TRANQUILITY *of* EUROPE, *and which require the* UTMOST SECRECY; *and, therefore, a particular and diſtinct Account of the Diſtribution of it cannot poſſibly be given, without manifeſt prejudice to the* PUBLIC.

This Anſwer being held inſufficient by ſome, Mr. *Pulteney* mov'd for a farther Addreſs, *moſt earneſtly to beſeech his Majeſty*, &c. but on the quoting of a lame Precedent relating to the *Contingences* of the Army in the Reign of Queen *Anne*, the Queſtion was put, and carry'd as the Court would have it, by 235 againſt 110; and another Addreſs was voted, expreſſing *the Thanks of the Houſe for his Majeſty's great Care and Wiſdom*, &c. *and to aſſure his Majeſty, That this Houſe, placing an* ENTIRE CONFIDENCE *in his Majeſty's Goodneſs, and Regard for the* TRUE INTEREST *of his People, will ſtand by and ſupport his Majeſty in* ALL ſuch FARTHER MEASURES *as his Majeſty ſhall find neceſſary and expedient for* PREVENTING A RUPTURE, *and for the Honour and Advantage of theſe Kingdoms.*

The Caſe of the Commiſſioners of the *Hawkers* and *Pedlars* Duty, as repreſented in the Petition by the ſaid Commiſſioners, having been referr'd to a Committee, it appear'd by the Report made to the Houſe thereon,

thereon, that the ſaid Duty, for the Space of Four Years, except 1500 *l.* was loſt to the Public, tho' the Money ariſing therefrom ſhould have been paid, according to Act of Parliament, into the *Exchequer* Weekly; and that, by Reaſon of the looſe, careleſs, and neglectful Management of the late Commiſſioners, there was a Deficiency of 36693 *l.* 13 *s.* 5 *d.* on the ſaid Duty, over and above 6000 *l.* which had been paid by the Securities of the late Caſhier to the ſaid Commiſſioners.

It happen'd, that this Abuſe of the Public was ſo notorious and inexcuſable, that even the very Courtiers were aſham'd of it, and Sir *W*—— *Y*—— himſelf, tho' he endeavour'd to exempt the * *Miniſter* from any Blame or Cenſure on that Account,

* It ought not to be forgot, That among thoſe who clamour'd with moſt Bitterneſs upon this Occaſion, there was one Gentleman, who, before the End of this very Seſſion, made a Viſit to Sir *R. W.* to give him to underſtand, *He was on the Point of ſetting out for* Paris; *and that if he had any* Commiſſion *to his* Brother, *which was of too* delicate *a Nature to be committed to Writing, he ſhould be proud of his Commands.*—This frank and forward Offer of a ſeeming Enemy, Sir *R.* ſoon after, communicates to a certain Right Honourable Member; adding, *He is certainly the impudenteſt Fellow in the World: Then will I ſtake my Life,* replies the ſaid Member, *That you become ſworn Brothers within this Twelvemonth*; which Prophecy we have ſeen punctually verify'd.

thought it adviſeable to move, *That* † *the Petition of the ſaid Commiſſioners might be rejected*, which was carry'd without dividing.

But this artful Palliative had not all the deſir'd Effect; Mr. *Pulteney* not only brought the Abuſe home to the Treaſury, but inveigh'd fiercely *againſt the Audaciouſneſs* of SOME PERSONS, *who, by their corrupt Management, thought themſelves ſo powerful and ſecure, as to dare to* SKREEN *the greateſt Offenders.* Sir *Robert Walpole* recriminated with a Charge againſt *other Perſons*, Of *Diſappointment*, Envy, Malignity, *ſhooting* Poiſon in the Dark, *ſcatter'd* under Allegories, in vile Libels, *&c.*

The *Courtiers*, however, being in pain for their *Chief*, call'd for the Order of the Day, which put an End to this curious Interlude; tho' not to the Reſentment it occaſion'd; for when Mr. *de Palm*'s Memorial, before inſerted, was laid before the Houſe, in order to convince the Emperor, that the Elector of *H*—— had a better Intereſt there, than his Imperial Majeſty, the Ad-

† Their Caſe was, afterwards, recommended in his Majeſty's Name to the Conſideration of Parliament, by the *Chancellor of the Exchequer*, and a Committee was appointed to compound with them for the Debt.

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dreſs of *Abhorrence* and *Defiance*, which was procur'd upon that Occaſion, was wound up in the following Terms:

'And if any among your *own Subjects*, 'have been ſo *wicked* as to *countenance*, en- 'courage and abet the *Diſturbers* of the 'Public Tranquility, in this *extravagant* 'Inſult upon your Majeſty, or *flatter'd* them 'with *Hopes*, that an *obſtinate Perſeverance* 'in their *deſtructive Meaſures* could ſtagger 'the Firmneſs of the BRITISH NATION, 'we are *reſolv'd effectually* to *defeat* all ſuch 'groundleſs Expectations, and to *convince* 'the *World*, that the INTREAGUES of a 'FEW cannot, in any Degree, abate or 'ſlacken that Vigour and Reſolution, with 'which a *true Love* and *Concern* for OUR 'COUNTRY, a juſt Senſe of its *Intereſts*, 'and an unſhaken Loyalty to your Majeſty, 'have inſpired us.'

Could the Senate of *Tiberius* have ſaid more? Could the Paraſites of any Court whatever have lick'd the Duſt of the Royal Foot-ſtool with more Servility? Did the ſtupid and incorrigible *Jews* ſin more againſt *common Senſe*, when they ſet up their *Calf*, and proclaim'd, *Theſe are thy Gods, O* ISRAEL? And yet this was the Voice of thoſe

thoſe who were become the *Repreſentatives* of *Great Britain*, to a Sovereign of their *own Chuſing*. — My Stomach turns as I write: But, however ſick, he that is embark'd, muſt proceed to the End of his Voyage.

The * Jobs of the Seſſion being over, *May* 15th, his Majeſty put a Period to it, with a Speech to both Houſes, in which, after

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* Among which ought not to be forgot, the famous one of the *Army Debentures*, a Brief of which we find thus deliver'd in Parliament, out of the Mouth of the great Patriot Mr. *P.* upon the Motion for an Addreſs to remove Sir *R. W.*

" We all know what a prodigious Sum that the Debts due to the Army, and to foreign States, were at laſt brought to, which continued for ſeveral Years to circulate under the Name of Army Debentures, at an Intereſt of *four per Cent.* without any Fund for paying off the Principal. Moſt of thoſe Debentures that were certified before the 21ſt of *March* 1719, were ſubſcribed into the South-Sea Company; but of them there remained unſubſcribed near 400,000 *l.* and after the 21ſt of *March* 1719, new Army Debentures were made out for Debts not before certified for near 550,000 *l.* ſo that, for ſome Time before the Year 1727, there was near a Million circulating in Army Debentures at *four per Cent.* without any certain Fund for paying the Principal; for as the Sinking Fund had been appropriated to the Payment of Debts contracted before the Year 1716, ſome People doubted if it could be applied to the Payment of theſe Debentures; and as there was always a great Number of them at Market, they came at laſt to be ſold at above 30 *l. per Cent.* Diſcount. But towards the latter End of the Year 1726, all that could be got at any Diſcount were bought up, and a certain Shop in this City was par-

after the uſual Compliments, he refers to the Siege of *Gibraltar*, now commenc'd, for a Demonſtration of the Deſigns of the Emperor and *Spain*, ſignifies nevertheleſs, that, in Conjunction with the moſt *Chriſtian* King, and the *States General*, he had made Offers of an Accommodation; gives them to underſtand that *Sweden* had acceded to the Treaty of *Hanover*, and that, together with the moſt *Chriſtian* King, he had made a * Convention with *Denmark*; glories in the Wonders perform'd by the Commons this Seſſion, as ſo many Proofs of the Credit, Power and Strength of

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particularly noted for the purchaſing ſuch Debentures. At laſt, upon the 7th of *March* 1726, a Reſolution was come to in this Houſe, to pay off all thoſe Army Debentures; of which Public Notice was given, and by an Act of the ſame Seſſion, the Sinking Fund was appropriated to the paying off all theſe Debentures at their full Price, by which the laſt Purchaſers got in a few Months above 30 *per Cent.* clear Profit.

" Whether the Miniſter himſelf was perſonally concerned in this Job, I ſhall not pretend, Sir, to determine, but ſome of his Friends were known to be concerned in it.

* Which hath for its Foundation, the Security of *Sleſwick* to the Crown of *Denmark*, and the Maintenance of the Tranquility of *Lower Saxony*, in Order to which his *Daniſh* Majeſty was to keep on Foot, an Army of 24,000 Men, which was to be reinforc'd with 6000 more *in* Caſe of need. *France* paying 350,000 Rix Dollars annually for Four Years, to his *Daniſh* Majeſty, &c.

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of this Kingdom; and concludes with a Hint, That he was ſcarce *able to decide*, whether we ſhould have *Peace* or *War*, &c.

But tho' his Majeſty choſe to be ſo diffident on this great Point, the *Preliminaries* for a general Pacification, were ſign'd at *Paris*, within Five Days after the Prorogation; whereby the *Oſtend Eaſt-India* Trade was ſuſpended for Seven Years, The *Engliſh*, *French* and *Dutch* were reſtor'd to all their Commercial Privileges, * Hoſtilities were to ceaſe on the part of *Spain*, and a Congreſs was to be open'd, within four Months, for the final Determination of all Differences.

But this was an Event his Majeſty did not live to ſee; being taken ill in his Way to *Hanover*, and dying at *Oſnaburgh June* the TENTH, 1727.

And his *Britannic* Majeſty engages to ſecure *Denmark* fron the Inſults of the *Ruſſian* Fleet, by ſending a ſufficient Squadron of good Ships when call'd for: as likewiſe, to furniſh Two Bodies of Troops of 12,000 Each, to join the 24,000 *Danes* before mention'd, upon the firſt News of the Motion of the *Ruſſians*, or any other Troops whatever, to attack *Sleſwick*, and trouble the Repoſe of *Lower Saxony*.

* On our Side, none had been commenc'd, except in the Defence of *Gibraltar*; and even in that Caſe, we behav'd ſo unaccountably, that the *Spaniards* landed Supplies of all Sorts, for the carrying on the Siege, under the Stern of our *Admiral*, without the *leaſt Interruption*, or *Fear* of any.

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As I am not writing a regular Hiſtory, I am under no Obligation to touch upon this Prince's Character; but, as I have dealt freely with his Reign, I owe this Juſtice to his Memory, That, tho' his *Heart* was apparently *ſet* on aggrandizing his *Hanover* Dominions, he had no Purpoſe to do any eſſential Injury to the People of *England*: To make their Miniſters anſwerable for all Faults, we are told, is the Privilege of our Kings; but if it had not been ſo, he might have challeng'd it as his Right: For being a Stranger to our Conſtitution, he expreſly *deſir'd* in all Things to be directed by it; and, if ever he departed from it, it was becauſe his *Guides* led him aſtray.

I. The following Particulars are added by way of Supplement, to the Second Part of the Firſt Seſſion, of the Firſt Parliament, after the Acceſſion of K. George I.

I. The King, *Jan.* 9, 1715-16, in his *moſt gracious* Speech from the Throne, aſſures himſelf of the Parliaments *acting with ſuch a Vigour as will end in the Confuſion of* all *thoſe who had openly engag'd in the Rebellion:* In another Part, He acknowledges it to be a Matter of the greateſt Uneaſineſs to him, That the Rebellion ſhould cloud the *intended Clemency* of his Reign,

by calling for *indiſpenſible Returns of Severity*; and in the Concluſion, He makes no Queſtion but that the ſaid Rebellion would *aboliſh all other Diſtinctions, but of ſuch as are zealous Aſſertors of the Liberties of their Country, and of ſuch as are endeavouring to ſubject the Nation to the* REVENGE *and* TYRANNY *of a* Popiſh Pretender.

II. An * Act was paſs'd by both Houſes, *for the more eaſy and ſpeedy Trial of ſuch Perſons as have levy'd, or ſhall levy War againſt his Majeſty*; by which it was provided, That Perſons guilty of Treaſon, and who were in Arms in the Rebellion, were to be tryed for the ſame, before ſuch Commiſſioners, and in ſuch County as his Majeſty ſhould appoint: whereas, before this Law was obtain'd, the Offenders were to be try'd in the County where the Fact was

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* To this Bill great Oppoſition was given in both Houſes, and it was prov'd to be directly contrary to *Magna Charta*, and ſubverſive of the antient, undoubted, and fundamental Rights of the Subject: But all this ſignify'd nothing: *Neceſſity* was made a general Anſwer to all that could be urg'd; as if there could be any Neceſſity for making all the People of *England* Slaves; or any Equivalent could be given for ſuch a Sacrifice.

It is certain, this Act, and the gracious Speech above quoted, were held as Authorities for very ſevere, if not unjuſt Proceedings: And a Jury which, in *Southwark*, had acquitted Two Gentlemen, were thereupon diſmiſs'd; and another were impannell'd by the Court in their Stead.

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committed, by Jurors of the ſame County, who were ſuppos'd to be the beſt Judges of the Fact committed; it being within their Knowledge.

III. A farther Alteration was alſo made in the Conſtitution, by the *Riot-Act*, which has been treated of p. 201. For, in Virtue of this Law, four *Rioters* were executed in *Salisbury Court*, as guilty of *Felony*, who would otherwiſe, have been puniſh'd with Fines and Impriſonment only.

IV. The * farther Suſpenſion of the *Habeas-Corpus*

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* Of theſe Suſpenſions of the *Habeas-Corpus* Act, I find it thus written.

Whilſt they were ſo happily poſſeſs'd of a Rebellion to carry on their Purpoſes, many Perſons of all Ranks were ſeized, and without any Forms of Law, or knowing their Accuſers, and even without any Accuſation at all, were detained a long time in Priſon; their Friends and Relations prohibited to come near them, and they not permitted to have common Neceſſaries: Which Invaſion of Men's Rights was ſo univerſally practis'd throughout the Kingdom, it would fill a Volume to enumerate how many Perſons and Families were undone by it. I have ſeen a Manuſcript in the Hands of a Nobleman, containing the Names of the Oppreſſors, and an account of Thouſands of Innocent People, many of them Perſons of diſtinction, who ſuffered in their Health, Eſtates, and ſeveral who loſt their Lives by that illegal Method of Impriſoning, *ad arbitrium*. Which ſurely was a great Argument, among a Multitude of others, of the dangerous Conſequence of breaking in upon the Fences of National Freedom. Not but that it is a prudent piece of Policy in all Governments, to ſtrengthen themſelves by ſecuring the Perſons of ſuch Enemies, as plot their Overthrow: But the Methods, theſe Men

beas-Corpus Act we have before taken Notice of; But it is proper to add, That when Exceptions were taken to it in the Houſe of Lords, as being *wholly unneceſſary*, and an Amendment propos'd, That *the Cauſe of Commitments ſhould be aſſign'd, and that villanous and falſe Informers might be puniſh'd*, thoſe Clauſes were rejected, and the People of *England* were again left at the Mercy of the Miniſtry; tho' it is remarkable, That King *Charles* II. refus'd to be at the Mercy of the People, by parting with his Power over the *Militia*, tho' but for HALF AN HOUR.

V. And it moreover pleas'd this moſt devoted Parliament to throw in yet another Complement to the Crown, by a † Law to indemnify

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Men made uſe of, were wholly unjuſtifiable, and wou'd have rendered them odious, tho' they had done nothing elſe, that was bad. For, what elſe could be ſaid of them and their Proceedings, but that the Conſervators of the Liberty of their Countrymen, not only gave up the chief Security thereof, which was the *Habeas-Corpus*; but ſhewed the Example themſelves to Others, to ſtrike at the Root of the Conſtitution?

† Of this the Writer juſt quoted, comments as follows,

As the *Army* was their chief Support, they ſtudied all ways of pleaſing the Officers, and ſubjecting the Common Soldiers to anſwer their Ends. In order to the firſt of theſe, they paid them well, indulged them in all kinds of Licenſe, that a victorious Army are prone to; and then to quiet their Minds againſt the Fear of Suits or Proſecutions for their Outrages,

indemnify ſuch Perſons, who have acted in Defence of his Majeſty's Perſon and Government,

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rages, they kindly gave them a *Bill* of *Indemnity* for their ſole Uſe and Protection; and to juſtify all the Inſults and Barbarities they had committed, which were without Number. And when the Country became exhauſted by Taxes, and that all Men cried out to have the Army reduced, they fell upon a Scheme to favour their good Friends, and yet ſeem to comply with the Wiſhes and Wants of the People: which was to model the Army ſo, as to keep up a *great Number* of *Officers*, and fewer Soldiers. By which means, they had a new Opportunity of Purging that Body of thoſe they diſliked, they gratified their Friends, and ſtill retained the ſame Power to do Miſchief, and continued the ſame Oppreſſion upon the Country.

In Order to ſubdue the Spirits of the Common Soldiers to all their Uſes, they ſet up *Martial Law*, independent of the Civil Magiſtrate, and in Times of Peace. This was to act fairly, and take off the Maſque at once: ſince it was, in effect, to ſet up for a Military Government without further Ceremony. For, how averſe ſoever the Soldiers might be to trample upon the Laws and Liberties of their Countrymen, they were by *Martial Law* to be compelled to it: a Refuſal to ſerve for ſuch Purpoſes was thereby interpreted *Mutiny*; for which they were inſtantly to be Shot, being deprived of the Benefit of the Laws of the Land, and totally excluded from their Right by *Magna-Charta* to an equal Tryal by a Jury of their Neighbours. And the Hardſhip was ſtill the greater upon the Common Soldiers, that, though their Country ſhould not require their Service, and that they ſhould deſire to retreat to their Homes, their Families, or ſome honeſt Occupation, it was not in their Power; but they were to be put to Death for *Deſerters*, to attempt a Delivery from Idleneſs and Servitude. Thus, by Virtue of this Law, the Soldiers became firſt enſlaved, in order afterwards to bring the Country under Bondage: Whilſt the Officers gained a Dominion, which they abuſed according to the Tyranny of their Natures

and

vernment, and for the Preſervation of the public Peace of theſe Kingdoms, in and about the Time of the late unnatural Rebellion, from vexatious Suits and Proſecutions.

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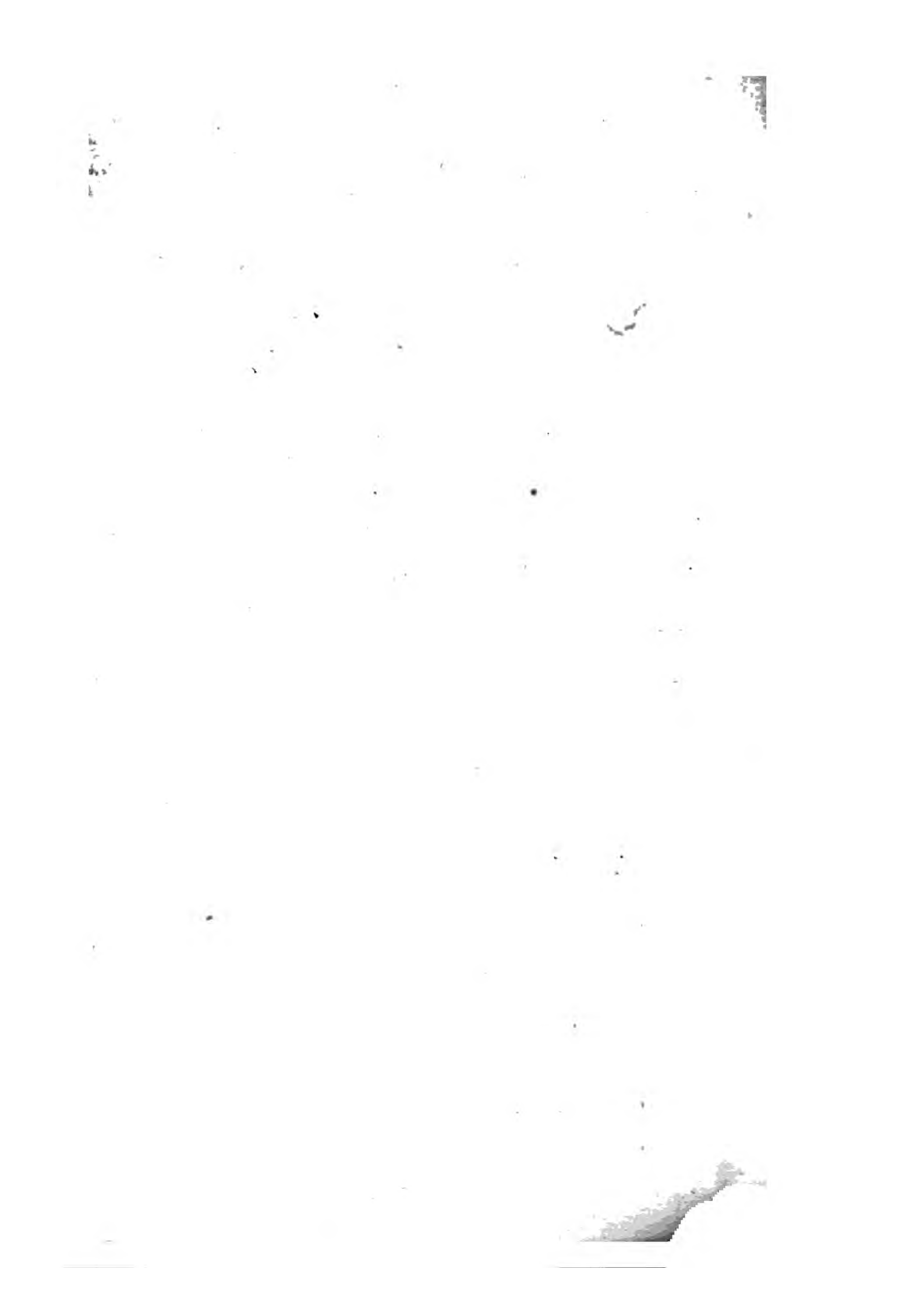
and the Pride of Upſtarts; and this perhaps might make common Soldiers the more ready to bring their Fellow Subjects into Slavery, that they might all be upon an equal Foot: For the ſame Purpoſe, they put the *Militia* under new Regulations, and into the Hands of Men, notorious for Animoſity, againſt the Conſtitution in *Church* and *State*, or of ſo little Intereſt or Stake in their Country, that they might be depended upon, as proper Inſtruments to bring it into Subjection.

The End of the Firſt Volume.



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