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(250)

^{N^o 20.}
Two Speeches.
(251)

I. The Earl of *Shaftsbury's* Speech in the House of Lords the 20th. of *October*, 1675.

II. The D. of *Buckingham's* Speech in the House of Lords the 16th. of *November* 1675.

Together with the Protestation, and Reasons of several Lords for the Dissolution of this Parliament; Entred in the Lords Journal the day the Parliament was Prorogued, *Nov. 22d.* 1675.

AMSTERDAM,

Printed Anno Domini. 1675.



(252)



The Earl of Shaftsbury's Speech in the House of Lords, upon the Debate of appointing a day for the hearing Dr. Shirleys Cause, the 20th of October, 1675.

My Lords,

Our All is at Stake, and therefore You must give me leave to speak freely before We part with it. My Lord Bishop of *Salisbury* is of Opinion, that we should rather appoint a day to consider what to do upon the *Petition*; then to appoint a day of hearing: And my Lord *Keeper*, for I may name them at a Committee of the whole House tells Us in very Eloquent and Studied Language. That he will Propose Us a way far less lyable to Exception, and much less Offensive and Injurious to our own Priviledges, then that of appointing a day of Hearing. And I beseech Your Lordships, did you not after all these fine Words expect some Admirable Proposal! but it ended in this. That Your Lordships should appoint a day, nay a very long day to Consider what you would do in it: And my Lord hath undertaken to convince you, that this Your only Course by several undeniable Reasons; the first of which is: That 'tis against your Judicature to have this Cause which is not proper before Us, nor ought to be relieved by Us. To this my Lords give me leave to Answer, that I did not expect from a Man Professing the Law; that after an Answer by Order of the Court was put in, and a day had been appointed for Hearing, which by some Accident was set aside, and the Plaintiff moving for a second day to be assigned that ever without hearing Counsel on both sides; the Court did enter into the Merits of the Cause. And if your Lordships should do it
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here in a Cause attended with the Circumstances, this is it would not only be an apparent Injustice, but a plain *Subterfuge* to avoid a Point you durst not maintain.

But my Lords second Reason speaks the Matter more clearly, for that is: *Because 'tis a doubtful case, whether the Commons have not Priviledg, and therefore my Lord would have You, To appoint a farther & a very long day to consider of it*, which in plain English is, that Your Lordships should confess upon Your Books, that you conceive it on second Thoughts a doubtful Case, for so Your *Appointing a day to consider*, will do, and that for no other Reason, but because my Lord *Keeper* thinks it so, which I hope will not be a Reason to prevail with Your Lordships; since we cannot yet by experience tell that his Lordship is capable of thinking Your Lordships in the Right, in any Matter against the *Judgment* of the *House of Commons*; 'tis so hard a thing even for the ablest of Men to change ill Habits.

But my Lords third Reason, is the most Admirable of all which he Stiles *Unanswerable*, viz. *That Your Lordships are all convinced in Your Conscience that this (if prosecuted) will cause a Breach. I beseech Your Lordships, consider whether this Argument thus applied would not overthrow the Law of Nature, and all the Laws of Right and Property in the World: For 'tis an Argument and a very good one, that You should not stand or insist on Claims, where You have not a clear Right; or where the Question is not of Consequence and of Moment, in a Matter that may produce a Dangerous Pernicious Breach between Relations, Persons, or Bodies politick joyn'd in interest, and High Concerns together. So on the other hand, if the Obstinacy of the Party in the wrong, shall be made an unanswerable Argument for the other Party to recede and give up his just Rights. How long shall the People keep their Liberties, or the Princes or Governours of the World their Prerogatives! How long shall the Husband maintain his Dominion, or any Man his Property from his Friend, or his Neighbours Obstinacy? But my Lords when I hear my Lord *Keeper* open so Eloquenty the Fatal Consequences of a Breach: I cannot forbear*

to fall into some admiration how it comes to pass: That (if the *Consequences be so fatal*) the Kings Ministers in the House of *Commons*, of which there are several that are of the *Cabinet*, and have dayly resort to His *Majesty*, and have the *Direction and Trust* of his Affairs: I say that none of these should press these *Consequences* there, or give the least stop to the *Carreer* of that House in this business; but that all the *Votes* concerning this *Affair*, nay even that very *Vote*, *That no Appeal from any Court of Equity is cognisable by the House of Lords*, should pass *nemine contradicente*. And yet all the great Ministers with us here, the *Bishops* and other *Lords* of greatest dependance on the Court contend this point, as if it were *pro Aris & focis*. I hear His *Majesty* in *Scotland* hath been pleased to declare against *Appeals in Parliament*, I cannot much blame the Court if they think (the *Lord Keeper*, and the *Judges* being of the Kings *Naming*, and in His *Power* to change) that the *Justice* of the *Nation* is safe enough, and I my *Lords* may think so too, during this *Kings* time, though I hear *Scotland* not without reason complain already: Yet how future *Princes* may use this *Power*; and how *Judges* may be made not men of *Ability* or *Integrity*, but men of *Relation* and *Dependance*, and who will do what they are commanded; and all mens *Causes* come to be *Judged*, and *Estates* disposed on as *Great Men* at Court please.

My *Lords*, the *Constitution* of Our *Government* hath provided beter for Us, and I can never believe so *Wise* a *Body* as the *House of Commons*, will prove that *Foolish* woman, which plucks down her *House* with her hands.

My *Lords*, I must presume in the next place to say something to what was offered by my *Lord Bishop of Salisbury*, a *Man* of *Great Learning* and *Abilities*, and always versed in a stronger and closer way of *Reasoning*, then the *Business* of that *Noble Lord* I answered before did accustome him too, and that *Reverend Prelate* hath stated the *Matter* very fair upon two *Heads*.

The first, *whether the hearing of Causes and Appeals*, and especially in this *Point* where the *Members* have priviledg,
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(256)

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be so Material to us, that it ought not to give way to the Reason of State, of greater Affairs that pressed us at that time.

The second was, If this business be of that Moment, yet whether the appointing a day to consider of this Petition, would prove of that consequence, and prejudice to your Cause.

My Lords, to these give me leave in the first place to say, that this Matter is no less then Your whole *judicature*, and Your *Judicature* is the life and soul of the Dignity of the *Peerage of England*, you will quickly grow burdensome, if you grow useless, you have now the greatest and most useful end of *Parliaments* principally in you, which is not to make new Laws but to redress Grievances, and to Main-ain the Old Land-Marks. The *House of Commons* Business is to complain; Your *Lordships* to redress, not only the Complaints from them that are the Eyes of the Nation, but all other particular persons that address to you. A Land may Groan under a Multitude of Lawes, and I believe Ours does, and when Laws grow so multiplyed, they prove oftner Snares, then Directions and Security to the People. I look upon it as the ignorance and weakness of the latter Age, if not worse, the effect of the Designs of ill Men; that it is grown a general opinion, that where there is not a particular direction in some *Act of Parliament*, the Law is defective, as if the *Common Law* had not provided much better, Shorter, and Plainer for the Peace and Quiet of the Nation then intricate, long, and perplexed *Statutes* do: which has made Work for the *Lawyers*, given power to the *Judges*, lessened Your *Lordships* Power, and in a good measure unhinged the security of the People.

My Lord Bishop tells Us, That Your whole *Judicature* is not in question, but only the priviledg of the *House of Commons*, of their Members not appearing at Your Barr: My Lords, were it no more, yet that for Justice and the Peoples sake You ought to part with: How far a Priviledg of the *House of Commons*, their Servants and those they own, doth extend *Westminster Hall*, may with Grief tell Your *Lordships*. And the same Priviledg of their Members being not sued, must be allowed by Your *Lordships*, as well, and what a failer of Justice

Justice this would prove whilst they are *Lords* for life, and you for Inheritance, let the World Judge; for my part I am willing to come to Conference when ever the Dispute shall begin again, and dare undertake to your *Lordships*, that they have neither President, Reason, nor any Justifiable pretence to show against us; and therefore my *Lords*, if you part with this undoubted Right meerly for asking, where will the asking stop! And my *Lords*, we are sure it doth not stop here, for they have already *nemine Contradicente*! Voted against *Your Lordships* power of Appeals from any Court of Equity! so that you may plainly see where this Caution and reason of State means to stop, not one jot short of laying your whole Judicature aside, for the same reason of passing the Kings Money of not interrupting good Laws, or what ever else must of necessity avoid all Breach upon what score soever: And your *Lordships* plainly see the Breach will be as well made upon your Judicature in general, as upon this, so that when your *Lordships* have appointed a day; a very long day, for to consider whether Dr. Shirleys Cause be not too hot to handle. And when you have done the same for Sir Nicholas Stanton, whose Petition I hear is coming in, your *Lordships* must proceed to a Vote to lay all private Business aside for six Weeks, for that Phrase of private Business hath obtained upon this last Age, upon that which is your most publique Duty and Business; namely the Administration of Justice. And I can tell your *Lordships*, besides the reason that leads to it, that I have some intelligence of the designing such a Vote: For on the second day of your sitting, at the rising of the *Lords House* there came a Gentleman into the Lobby belonging to a very great Person, and askt in great haste *are the Lords up? have they passed the Vote?* and being ask't what Vote? He answered *the Vote of no Private Business for six Weeks.*

My *Lords*, if this be your Business, see where you are, if we are to Postpone our Judicature for fear of offending the *House of Commons* for six Weeks; that they in the interim may pass the Money, and other acceptable Bills that His Majesty thinks of Importance; are so many wise men in the

House of Commons to be laid asleep, and to pass all these acceptable things; and when they have done, to let us to be let loose upon them.

Will they not remember this next time there is want of *Money*? Or may not they rather be assured by those *Ministers* that are amongst them, and go on so unanimously with them, that the *King* is on their side in this Controversie, and when the publique *Businesses* are over, our time shall be too short to make a Breach or vindicate our selves in the Matter? And then I beg your *Lordships* where are you; after you have asserted but the last *Session* your right of Judicature, so highly even in this Point, and after the *House of Commons* had gone so high against you on the other hand, as to post up their *Declaration* and *Remonstrances* on *Westminster Hall Doors*, the very next *Session* after you postpone the very same Causes, and not only those, but all Judicatures whatsoever. I beseech your *Lordships*, will not this prove a fatal president and confession against your selves? 'Tis a Maxim, and a rational one amongst the *Lawyers*, that one President where the Case hath been Contested, is worth a 1000 where there hath been no Contest: My Lords, in saying this I humbly suppose I have given a sufficient answer to my *Lord Bishops* second Question; Whether the appointing a day to consider what you will do with this *Petition*, be of that consequence to your right, for it is a plain confession, that it is a doubtful Case, and that infinitely stronger then if it were a new thing to you never heard of before; For it is the very same Case, and the very same thing desired in that Case, that you formerly ordered and so strongly asserted; so that upon time, and all the deliberation imaginable, you declare your selves to become doubtful, and you put your selves out of your own hands, into that power that you have no reason to believe on your side in this Question.

My Lords, I have all the duty imaginable to his *Majesty*, and shall withall submission give way to any thing that he should think of Importance to his affairs: But in this Point it is to alter the constitution of the *Government*, if you are ask't to lay this aside; And there is no reason of State

can be an Argument to your *Lordships* to turn your selves out of that Interest you have in the constitution of the *Government*, 'tis not only your concern that you maintain your selves in't, but 'tis the concern of the Poorest man in *England* that you keep your Station: 'Tis your *Lordships* concern, and that so highly, that I will be bold to say the *King* can give none of you a requital or recompence for it, what are empty Titles? What is present Power, or Riches and a great Estate, wherein I have no firme nor fixed property? 'Tis the constitution of the *Government* and Maintaining it that secures your *Lordships* and every man else in what he hath: The Poorest Lord, if the Birthright of the *Peerage* be maintained, has a Fair Prospect before him for himself or his Posterity: But the greatest Title with the greatest present Power and Riches, is but a mean creature, and maintains those in absolute *Monarchies*, no otherwise then by servile and low flatteries and upon uncertain terms.

My Lords, 'Tis not only your Interest, but the Interest of the Nation that you Maintain your Rights, for let the *House of Commons* and *Gentry* of *England* think what they please, there is no *Prince* that ever governed without *Nobility* or an *Army*: if you will not have one; you must have t'other, or the *Monarchy* cannot long support, or keep it self from tumbling into a *Democratical Republicque*. Your *Lordships* and the people have the same cause, and the same Enemies. My Lords, would you be in favour with the *King*? 'Tis a very ill way to it, to put your selves out of a future capacity, to be considerable in his service: I do not find in Story, or in Modern Experience, but that 'tis better, and a man is much more regarded that is still in a capacity and opportunity to serve, then he that hath wholly deprived himself of all for his *Princes* service: And I therefore declare that I will serve my *Prince* as a *Peer*, but will not destroy the *Peerage* to serve him.

My Lords, I have heard of 20. foolish Modells and Expedients to secure the Justice of the Nation, and yet to take this Right from your *Lordships*, as the *King* by his *Commission* appointing *Commoners* to hear *Appeals*; or that the twelve

Judges should be the persons, or that persons should be appointed by Act of Parliament, which are all not only to take away your *Lordships* just Right, that ought not to be altered any more than any other part of the *Government*, but are in themselves when well weighed, Ridiculous. I must deal freely with your *Lordships*, these things could never have risen in mens minds, but that there has been some kind of Provocation that has given the first rise of it: Pray my Lords forgive me, if on this occasion I put you in mind of *Committee Dinners*, and the Scandal of it, those *Droves of Ladies* that attended all *Causes*; 'twas come to that pass, that men even Hired or Borrowed of their Friends handsome Sisters or Daughters to deliver their *Petitions*: But yet for all this I must say, that your *Judgments* have been Sacred, unless in one or two *Causes*, and those we owe most to that Bench; from whence we now apprehend most danger.

There is one thing I had almost forgot to speak to, *Which is the Conjuncture of time, the Hinge upon which our reason of State turns*; and to that my Lords give me leave to say, if this be not a time of Leisure for you to vindicate your Priviledges, you must never expect one: I could almost say that the Harmony, good Agreement, and Concord that is to be prayed for at most other times, may be fatal to us now, we owe the Peace of this last two years, and the disingagement from the *French* interest, to the two Houses, differing from the Sense and Opinion of *White-hall*, so at this time, the thing in the World this Nation hath most reason to apprehend, is a General Peace, which cannot now happen without very advantagious Terms to the *French*, and Disadvantagious to the House of *Austria*: We are the Kings great Counsellors and if so, have Right to differ, and give contrary Councils to these few are nearest about him, I fear they would advance a General Peace, I'me sure I would advise against it, and hinder it at this time by all the ways imaginable: I heartily wish nothing from you may add weight and reputation to those Councils would assist the *French*. No Money for Ships, nor Preparations you can
make

make; nor Personal assurances our Prince can have; can secure us from the *French*, if they are at leisure. He is grown the most Potent of us all at Sea. He has built 24 Ships this last year; and has 30 more in number than we, besides the advantage, that our Ships are all out of Order, and his so exquisitely provided for, that every Ship has his particular Store-house. 'Tis incredible the Money he hath, and is bestowing in making Harbors; He makes Nature it self give way to the vastness of his Expence: And after all this, shall a Prince so wise, so intent upon his Affairs, be thought to make all these preparations to Sail over Land, and fall on the back of *Hungary*, and batter the Walls of *Kaminitz*, or is it possible he should oversee his Interest in seizing of *Ireland*, a thing so feasible to him, if he be Master of the Seas, as he certainly now is; and which when attained, gives him all the *Southern, Mediterranean, East and West India Trade*, and renders him both by Scituation, and excellent Harbors, perpetual Master of the Seas, without Dispute.

My Lords, to conclude this point, I fear the Court of *England* is greatly mistaken in it, and I do not wish them the reputation of the concurrence of the Kingdom: And this out of the most sincere Loyalty to His Majesty, and love to my Nation.

My Lords, I have but one thing more to trouble you with, and that peradventure is a consideration of the greatest weight and concern, both to your Lordships, and the whole Nation. I have often seen in this House, that the Arguments, with strongest reason, and most convincing to the Lay Lords in General, have not had the same effect upon the Bishops Bench; but that they have unanimously gone against us in matters, that many of us have thought Essential and undoubted Rights; And I consider, that 'tis not possible, that Men of great Learning, Piety, and Reason, as their Lordships are, should not have the same care of doing right, and the same conviction, what is right upon clear reason offered, that other your Lordships have. And therefore, my Lords, I must necessarily think, we differ in principles; And then 'tis very easie to apprehend what is
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the clearest sense to men of my principle, may not at all persuade or affect the Conscience of the best man of a different one. I put your Lordships the case plainly, as 'tis now before us. My principle is, *That the King is King by Law, and by the same Law that the poor Man enjoys his Cottage*; and so it becomes the concern of every man in *England*, that has but his liberty, to maintain and defend, to his utmost, the King in all his Rights and Prerogatives. My Principle is also, *That the Lords House, and the Judicature and Rights belonging to it, are an Essential part of the Government, and Established by the same Law*; The King governing and administering Justice by His House of Lords, and advising with both His Houses of Parliament in all important matters, is the Government I own, am born under, and am obliged to. If ever there should happen in future ages (which God forbid) a King governing by an Army, without His Parliament, 'tis a Government I own not, am not obliged to, nor was born under. According to this Principle, every honest man that holds it, must endeavour equally to preserve the frame of the Government, in all the parts of it, and cannot satisfy his Conscience to give up the Lords House for the Service of the Crown, or to take away the just rights and priviledges of the House of Commons to please the Lords. But there is another Principle got into the World, my Lords, that hath not been long there; for Arch-Bishop *Land* was the first Author that I remember of it: And I cannot find, that the Jesuites, or indeed the Popish Clergy hath ever own'd it, but some of the Episcopal Clergy of our *British Isles*; and 'tis withal, as 'tis new, so the most dangerous destructive Doctrine to our Government and Law, that ever was. 'Tis the first of the Cannons published by the Convocation, 1640. *That Monarchy is of Divine Right*. This Doctrine was then preached up, and maintained by *Sibthorp*, *Manwaring*, and others, and of later years, by a Book published by Dr. *Sanderson*, Bishop of *Lincoln*, under the name of Arch-Bishop *Usher*; and how much it is spread amongst our Dignified Clergy, is very easily known. We all agree, *That the King and His*

Government, is to be obeyed for Conscience sake; and that the Divine Precepts, require not onely here, but in all parts of the World, Obedience to Lawful Governours. But that this Family are our Kings, and this particuler frame of Government, is our lawful Constitution, and obliges us, is owing onely to the particuler Laws of our Country. This Laudan Doctrin was the root that produced the Bill of Test last Session, and some very perplexed Oaths that are of the same nature with that, and yet imposed by severall Acts of this Parliament.

In a word, if this Doctrin be true, our *Magna Charta* is of no use, our Laws are but Rules amongst our selves during the Kings pleasure. Monarchy, if of Divine Right, cannot be bounded or limited by humane Laws, nay, whats more, cannot bind it self; and All our Claims of right by the Law, or Constitution of the Government, All the Jurisdiction and Priviledge of this House, All the Rights and Priviledges of the House of Commons, All the Properties and Liberties of the People, are to give way, not onely to the interest, but the will and pleasure of the Crown. And the best and worthyest of Men, holding this principle, must Vote to deliver up all we have, not onely when reason of State, and the separate Interest of the Crown require it, but when the will and pleasure of the King is known, would have it so. For that must be, to a man of that principle, the onely rule and measure of Right and Justice. Therefore, my Lords, you see how necessary it is, that our Principles be known, and how fatal to us all it is, that this Principle should be suffered to spread any further.

My Lords, to conclude, your Lordships have seen of what consequence this matter is to you, and that the appointing a day to consider, is no less then declaring your selves doubtful, upon second and deliberate thoughts, that you put your selves out of your own hands, into a more then a moral probability, of having this Session made a president against you. You see your Duty to your selves and the People; and that 'tis really not the interest of the *House of Commons*, but may be the inclination of the Court, that

(264)

(12)

that you loose the Power of Appeals; but I beg our House may not be *Felo de se*, but that your Lordships would take in this affair, the onely course to preserve your selves, and appoint a day, this day 3 weeks, for the hearing Dr. Shirleys Cause, which is my humble motion.

F I N I S.

The Duke of Buckingham's Speech in the
House of Lords, November 16. 1675.

My Lords,

THere is a thing called *Property*, (whatever some men may think) that the People of *England* are fondest of. It is That they will never part with, and it is That His Majesty in His Speech has promised to take particular care of. This, my Lords, in my Opinion, can never be done, without an *Indulgence to all Protestant dissenters*.

It is certainly a very uneasy kind of life to any man, that has either Christian Charity, Good Nature, or Humanity, to see his fellow *Subjects* daily abused, divested of their *Liberties* and *Birth-rights*, and miserably thrown out of their *Possessions* and *Free-holds*, only because they cannot agree with others in some *Opinions* and *Niceties* of *Religion*, which their Consciences will not give them leave to consent to, and, which even by the consent of those who would impose them, are no way necessary to Salvation.

But my *Lords*, besides this, and all that may be said upon it, in order to the improvement of our *Trade*, and the increase of the *Wealth*, *Strength*, and *Greatness* of this *Nation* (which with your leave I shall presume to discourse of at some other time) there is methinks in this *Notion* of *persecution*, a very gross mistake, both as to the point of *Government* and *Religion*.

There is so; as to the point of *Government*, because it makes every mans safety depend upon the wrong place, not upon the *Governors*, or mans living well towards the *Civil Government*, established by *Law*; but upon his being transported with *Zeal* for every opinion that's held by those that have power in the *Church* that's in fashion.

And I perceive it's a mistake in *Religion*, for that it is positively against the express *Doctrin* and *Example* of *Jesus Christ*; Nay, my *Lords*, as to our *Protestant Religion*, there is something yet worse; for we *Protestants* maintain, that none of these *Opinions* which Christians here differ about, are *Infallible*; and therefore in us it is somewhat an inexcusable conception, that men ought to be deprived of their *Inheritance*, and all their certain conveniencies and advantages of *Life*, because they will not agree with us in our uncertain *Opinions* of *Religion*.)

My humble motion to your *Lordships* therefore is, That you will give me leave to bring in *A Bill of Indulgence* to all dissenting *Protestants*. I know very well, that every *Peer* of this *Realm* has a right to bring into *Parliament* any *Bill* which he conceives to be useful to this Nation. But I thought it more respectful to your *Lordships* to ask your leave for it before; and I cannot think that doing of it, will be any prejudice to the *Bill*, because I am confident, the *Reason*, the *Prudence*, and the *charitableness* of it, will be able to justify it to this *House*, and the *whole world*.

Accordingly the *House* gave the *Duke* leave to bring in a *Bill*.



A List of the Lords who were present at the Vote for an Address to the King for Dissolving the Parliament, November the 20th. 1675.

For the Address.

Against the Address.

His Royal Highness
D. of Buckingham
M. Winchester
E. Marshall, E. Norwich
E. Kent
E. Dorset
E. Salisbury
E. Bridgwater
E. Westmerland
E. Bullingbrooke
E. Chesterfield
E. Stamford
E. Peterborough
E. Manchester
E. Berkes
E. Mulgrave
E. Scarfdale
E. Sunderland
E. Clarendon
E. Essex
E. Cardigan

Ld. Keeper
Ld. Treasurer
Ld. Privy Seale
Ld. Great Chamberlaine
E. Northampton
E. Bristoll
E. Bath
E. Craven
E. Alisbury
E. Gilford, D. Lauderdale
Ld. Windsor
Ld. Pawlett
Ld. Maynard
Ld. Howard of Eastreck
Ed. Byron
Ld. Lucas
Ld. Vaughan, E. Carbery
Ld. Gerrard
Ld. Frechvill
Ld. Butler, E. of Offery
Ld. Arundell of Trierice

(208)

(16)

For the Address:

E. Shaftesbury
 E. Powys
 Vic. Fauconberg
 Vic. Hallifax
 Vic. Yarmouth
 Vic. Newport
 Ld. Sandys
 Ld. Morley
 Ld. Sturton
 Ld. Wharton
 Ld. Peter
 Ld. Arundell of Warder
 Ld. Lovelace
 Ld. Tenham
 Ld. Mohun
 Ld. Bellasis
 Ld. Carington
 Ld. Delamere
 Ld. Townsend
 Ld. Grey of Rolston

These Lords present 41
 gave 7 Proxies.

48

*Lords absent and sick that gave
 Proxies for this question.*

E. Denbeigh
 Ld. Hollis

*Other Lords absent that were
 for this Address.*

E. Bedford
 E. Burlington
 Ld. Fitzwalter
 Ld. Ewer.

And Others:

Against the Address:

21 Lay Lords

13 Bishops, who were all that
 were in the House.

These 34 Lords gave
 16 Proxies.

50.

The Protestation, with Reasons of several Lords for the Dissolution of this Parliament, entred in the Lords Journal, November 22. 1675. the day the Parliament was Prerogued.

WE whose Names are under-written, Peers of this Realm, having proposed, *That an humble Address might be made to His Majesty from this House, that he would be graciously pleased to Dissolve this Parliament:* And the House having carried it in the Negative, for the Justification of our Loyal Intentions towards His Majesties Service, and of our true respect and deference to this Honourable House; and to shew that we had no sinister or indirect Ends in this our humble proposal, Do with all humility herein, set forth the grounds and reasons why we were of opinion that the said *humble Address* should have been made.

1. We do humbly conceive, that it is according to the ancient Laws and Statutes of this Realm, that there should be frequent and new Parliaments, and that the practice of several years, hath been accordingly.

2. It seems not reasonable; that any particular number of Men, should for many years, ingross so great a trust of the People, as to be their Representatives in the House of Commons: And all other the Gentry and the Members of Corporations of the same degree and quality with them, should be so long excluded. Neither, as we humbly conceive, is it advantagious to the Government; that the Counties, Cities and Burroughs, should be confined for so long a time to such Members as they have once chosen to serve for them. The mutual correspondence and interests of those who choose and are chosen, admitting of great variations in length of time.

3. The long continuance of any such as are intrusted for others, and who have so great a power over the purse of the Nation, must in our humble opinion, naturally endanger the producing of Factions and Parties, and the carrying on
of

of particular interests and designs, rather than the publick Good.

And we are the more confirmed in our desires for the said humble Address, by reason of this unhappy breach fallen out betwixt the two Houses of which the House of Peers hath not given the least occasion; they having done nothing but what their Ancestors and Predecessors have in all times done; and what is according to their duty, and for the Interest of the people that they should do; which notwithstanding the House of Commons have proceeded in such an unprecedented and extraordinary way, that it is in our humble opinion, become altogether unpracticable for the two Houses, as the Case stands, jointly to pursue these great and good ends for which they were called.

For these Reasons we do enter this our Protestation against, and Dissent unto, the said Vote.

Buckingham
Winchester
Salisbury
Bridgwater
Dorset
Westmerland
Chesterfield
Stamford
Berkes
Clarendon
Shaftesbury

Fauconberg
Hallifax
Yarmouth
Newport
Sandys
Wharton
Peter
Mohun
Delamere
Townsend
Grey of Rolston

These were all the Lords that were in the House early enough to sign the Protestation before the Parliament was Prorogued.

F I N I S.

(291)

(292)

(243)