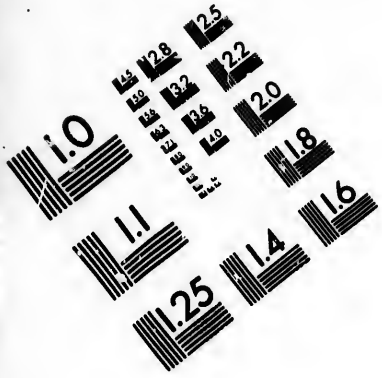

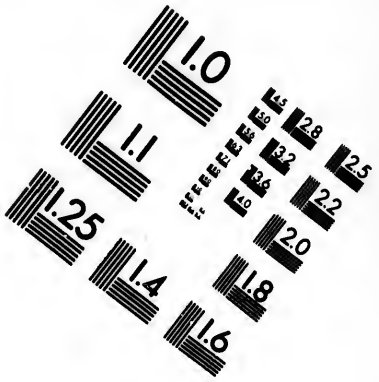

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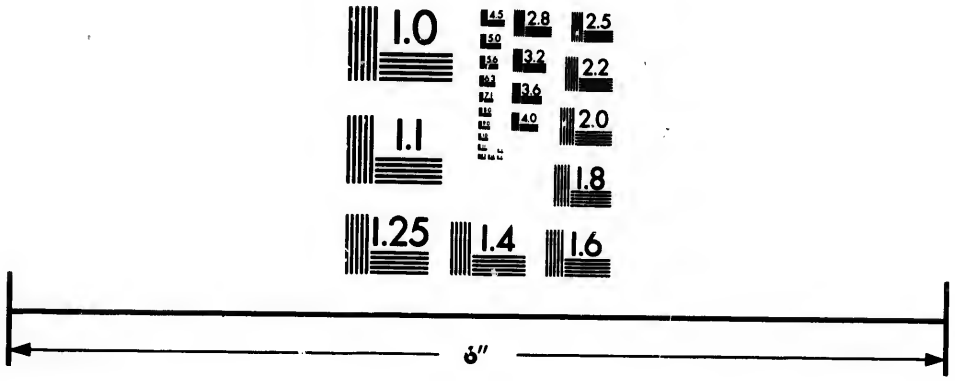

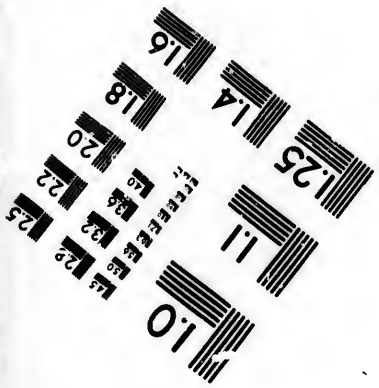

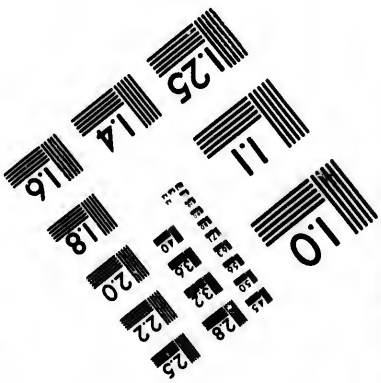

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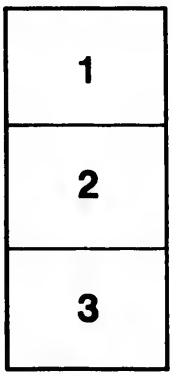

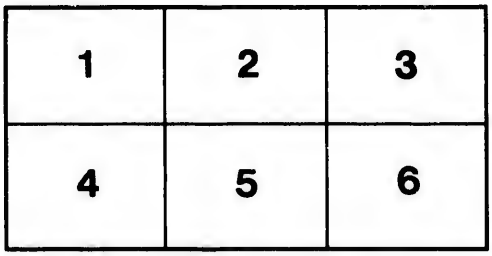

THE

DEBATE

ON THE

SUBJECT

OF A

REGENCY,

IN THE

HOUSE OF COMMONS,

ON TUESDAY, DECEMBER 16, 1788.

Containing the SPEECHES of

MR. PITT, MR. FOX, &c. &c.

WITH A

Correct LIST of the DIVISION thereon.

LONDON:
PRINTED FOR JOHN STOCKDALE, OPPOSITE
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MDCCLXXXVIII.

DEBATE

IN THE

HOUSE OF COMMONS,

ON TUESDAY, DEC. 16th, 1788.

AS ſoon as the *Chancellor of the Exchequer* had taken his ſeat, he moved, that the Order of the Day for "the Houſe to reſolve itſelf into a Committee on the conſideration of the State of the Nation," be read, which being done accordingly, together with the Order for referring the Report of the Committee appointed to take and report the examinations of the King's Phyſicians, and the Report of the Committee appointed to ſearch for, examine and report Precedents, &c. to the ſaid Committee, the Chancellor of the Exchequer moved, "that the Speaker do now leave the Chair," which having been on the queſtion put, and agreed to, Brook Watſon, Eſq. took the Chair at the Table.

The *Chancellor of the Exchequer* began his ſpeech with declaring, that the Houſe were then in a Committee to take into conſideration the State of the Nation, under circumſtances the moſt calamitous and important that had ever befallen the country at almoſt any period. It was then a century ago ſince any thing of equal importance had engaged the attention of that

Houſe. The circumſtance that had then occurred was the Revolution, between which, however, and the preſent circumſtance, there was a great and eſſential difference. At that time the two Houſes had to provide for the filling up of a Throne that was vacant by the abdication of James the Second; at preſent they had to provide for the exerciſe of the Royal Authority, when his Majeſty's political capacity was whole and entire, and the throne conſequently full, although in fact all the functions of the executive government were ſuſpended, but which ſuſpenſion they had every reaſon to expect would be but temporary. There could not, he ſaid, be but one ſentiment upon that head, which was, that the moſt ſanguine of his Majeſty's phyſicians could not effect a cure more ſpeedily, than it was the anxious wiſh of every man in that Houſe, and every deſcription of his Majeſty's ſubjects, that his cure might be effected, and that he might thence be enabled again to reſume the exerciſe of his own authority. During the temporary continuance, however, of his Majeſty's malady, it was their indiſpenſible duty to provide for the deficiency in the Legiſlature, in order that a due regard might be had to the ſafety of the Crown, and the intereſts of the People. The firſt Report before the Committee eſtabliſhed the melancholy fact, that had rendered their deliberations neceſſary; the ſecond contained a collection of ſuch Precedents, ſelected from the hiſtory of former times, as were in any degree analogous to the preſent unfortunate ſituation of the country, although he would not undertake to ſay that ſtill more Precedents might not have been found, yet ſuch as the Report contained, would ſerve to throw a conſiderable degree of light on the ſubject, and point out to the Houſe the mode of proceeding

moſt

moſt proper to be adopted. Notwithſtanding the magnitude of the queſtion, what proviſion ought to be made for ſupplying the deficiency, there was a queſtion of a greater and ſtill more important nature, which muſt be diſcuſſed and decided firſt, as a preliminary to their future tranſactions, with a view to the preſent exigency. The queſtion to which he alluded, was, Whether any perſon had a right, either to aſſume or to claim the exerciſe of the Royal Authority, during the incapacity and infirmity of the Sovereign; or, whether it was the right of the Lords and Commons of England to provide for the deficiency in the Legiſlature reſulting from ſuch incapacity? On a former day, he had ſtated, that in conſequence of an aſſertion having been made in that Houſe, that a Right attached to his Royal Highneſs the Prince of Wales, as Heir Apparent to exerciſe the Sovereign Authority, as ſoon as the two Houſes of Parliament declared his Majeſty, from illneſs and indiſpoſition, incapable of exerciſing his Royal Functions; it appeared to him to be abſolutely and indiſpenſably neceſſary, that the queſtion of Right ought to be firſt decided by the Committee, before they took a ſingle ſtep to provide for the deficiency of the third Eſtate of the Realm. By the aſſertion of the exiſtence of ſuch a right, no matter whether a right that could be aſſumed in the firſt inſtance, or as a right which attached after the declaration of both Houſes of Parliament, that his Majeſty was incapable, a doubt had been thrown upon the exiſtence of what he had ever conſidered as the moſt ſacred and important rights of the two Houſes, and it became abſolutely neceſſary for them to decide that doubt, and by ſuch deciſion aſcertain whether they had a right to deliberate, or whether their proceedings muſt be ex-

 ceedingly

ceedingly ſhort, and they ſhould have only to adjudge, that ſuch a Right as had been mentioned was legally veſted in his Royal Highneſs the Prince of Wales.

He mentioned the difficulty and embarraſsment that had been thrown upon their proceedings by the aſſertion, that ſuch a claim exiſted; and although he was free to confeſs, that the aſſertion had not been made from any authority, and that they had ſince heard, though not in that Houſe, that it was not intended that the claim ſhould be made, yet having been once ſtated, by a very reſpectable Member of that Houſe as his opinion, it was an opinion of too much importance to be paſſed by; he deſired it to be remembered, however, that he had not ſtirred the Queſtion of Right originally; if, therefore, any ſerious danger were actually to be dreaded by its being diſcuſſed and decided, that danger and its conſequences were ſolely imputable to the firſt ſtirrer of the Queſtion, and not to him. Had the doubt never been raiſed, an expreſs declaration on the ſubject had not been neceſſary; but, as the matter ſtood, ſuch a declaration muſt be made one way or the other. He begged, however, that it might not be imputed to him, that he was deſirous of waſting time in bringing forward any abſtract, or ſpeculative, or theoretical Queſtion. An abſtract Queſtion, in his conception of it, was a Queſtion wholly unneceſſary, the diſcuſſion of which could anſwer no end, nor could its deciſion afford any light to guide and aſſiſt them in their proceedings. Of a very different nature was the Queſtion of Right, it was a Queſtion that ſtood in the way of all ſubſequent proceeding, the reſolving of which muſt neceſſarily decide upon the whole of their conduct with regard to the preſent important buſineſs; they were not free to deliberate

liberate and determine while the doubt of an exiſting right or claim hung over their heads, they could not ſpeak intelligibly or to any purpoſe until they knew their proper characters, and whether they were exerciſing their own rights for the ſafety of the Crown and the intereſts of the people, or whether they were uſurping that which had never belonged to them. On that ground it was, that he had declared the Queſtion of Right not to be an abſtract Queſtion, a ſpeculative Queſtion, or a theoretical Queſtion. The firſt information the papers that had been referred to the Committee afforded, was that which he ſhould make the firſt reſolution, viz. a reſolution of fact, as the ground of thoſe that were deſigned by him to follow it; a reſolution ſtating, that which the language of all his Majeſty's phyſicians afforded ſufficient proof of, that his Majeſty was incapable from illneſs of coming to his Parliament, or attending to any public buſineſs, whence aroſe the interruption of the exerciſe of the Royal Authority. To that reſolution of fact, he conceived there could not be any objection, His next reſolution would be the reſolution of Right, couched in part in the words of the Bill of Rights, and ſtating, "That it was the right and duty of the Lords Spiritual and Temporal, and of the Houſe of Commons, as the rightful repreſentatives of all the eſtates of the people of England, to provide for the deficiency in the Legiſlature, by the interruption of the exerciſe of the Royal Authority in conſequence of his Majeſty's incapacity through indiſpoſition." He renewed his arguments in ſupport of the claim of the two Houſes of Parliament, declaring that under the preſent circumſtances of the country, it was his firm and unalterable opinion, that it was the abſolute

abſolute and undeniable Right of the two Houſes on the part of the people to provide for the revival of the third eſtate. He declared he would ſtate the point at iſſue between him and the Right Honourable Gentleman oppoſite to him fairly. He wiſhed not to take advantage of any ſhades of difference between them, but to argue upon the ſolid and ſubſtantial difference of their opinions. If he had conceived the Right Honourable Gentleman properly, he had aſſerted "that, in his opinion, the Prince of Wales, as Heir Apparent, upon the incapacity of the Sovereign to exerciſe the Sovereign Authority being declared, had as clear, as perfect, and as indiſputable a Right to take upon himſelf the full exerciſe of all the authorities and prerogatives of his father, as if his Majeſty had undergone an actual demiſe." If it could be proved to exiſt by any precedents, drawn from hiſtory or founded in law, or by the analogy of the Conſtitution, he wiſhed to have been told what thoſe precedents were, becauſe in that caſe the ground would be narrowed, and the proceedings of the Committee rendered ſhort and ſimple, as they would have no power nor occaſion to deliberate; the only ſtep they could take would be to recognize the claim of Right. That claim of Right, however, he flatly denied to have any exiſtence, capable of being ſuſtained by ſuch proof as he had mentioned; the right of providing for the deficiency of the Royal Authority, he contended, reſted with the two remaining branches of the Legiſlature. He profeſſed himſelf exceedingly happy to hear that a declaration had been made in another place from high authority, that the Right ſtated by the Right Hon. Gentleman in that Houſe to have exiſtence, was not meant to be urged by a great perſonage. He ſaid, he

came

came that day confirmed in every opinion, that he had before ſtated, confirmed in that opinion that no ſuch Right or Claim veſted in the Prince of Wales, as Heir Apparent, to exerciſe the Royal Authority during the incapacity of the Sovereign could be proved, neither from precedents drawn from hiſtory, nor from the law, nor from the ſpirit of the Conſtitution. He reminded the Committee that when the Right Hon. Gentleman firſt mentioned the Right of the Prince of Wales in this particular, the Right Hon. Gentleman had declared he was willing to wave the Motion for a Committee to ſearch for precedents, becauſe that he was perſuaded, and the Houſe muſt allow, that no precedent could be found that bore upon the particular caſe of a Prince of Wales, the Heir Apparent to the Crown, being of full age, and capable of taking on himſelf the exerciſe of the Royal Authority under ſuch circumſtances as the preſent. There certainly was no caſe preciſely in point undoubtedly, but though their Committee above ſtairs could not find a caſe preciſely in point, they had furniſhed the Houſe with many precedents from which analogies might be drawn. He called upon the Right Hon. Gentleman oppoſite to him to point out a ſingle caſe analogous to the infancy, infirmity, or illneſs of a Sovereign, in which the full powers of ſovereignty were exerciſed by any one perſon whatever. If the right attached to his Royal Highneſs under the preſent circumſtances, in the ſame manner as on the demiſe of his Father, an Heir Preſumptive would ſucceed as perfectly as an Heir Apparent, and agreeable to that doctrine, thoſe Precedents that would attach in the one caſe, would attach in the other. For Precedents that were analogous, he would refer the Committee to the Report on the Table, the

cedents in which, though they might not throw all the light on the ſubject that could be wiſhed, certainly tended to elucidate it conſiderably. He ſaid, he would refer to ſome of theſe precedents, and convince Gentlemen that their reſult formed clear, undeniable proof, that no ſuch Right exiſted as had been pretended. The firſt Precedent was taken from the reign of Edward the Third, when no Heir Apparent had claimed the exerciſe of the Royal Authority. The Parliament of thoſe days, (whether wiſely or not was no queſtion before the Committee) provided a Council about the King's perſon to act for him, a clear proof that they conceived the power exiſted with them to provide for the exerciſe of the Royal Authority. The next precedent was in the reign of Richard the Second, when Counſellors were alſo appointed to exerciſe the regal Power. The third Precedent occurred in the infancy of Henry the Sixth; at that time the Parliament were called together by the young King's ſecond uncle, the firſt being ſtill living, but out of the kingdom, and that Act was ratified by Parliament, they not conſidering it ſufficient that it was done by the authority of the Duke. In that inſtance, again, it was clear that the Regency was carried on by the Parliament. Theſe three inſtances were the principal of thoſe ſtated in the Report of their Committee; ſubſequent precedents would prove that no one inſtance could be found of any perſon's having exerciſed the Royal Authority during the infancy of a King, but by the grant of the two Houſes of Parliament, excepting only where a previous proviſion had been made.

Having thus far mentioned the power of Parliament during the infancy of a King, he ſaid he would next ſtate their power during the King's abſence; and if in

that

that caſe it ſhould be aſſerted, that the Heir Apparent had a Right to exerciſe the Royal Authority, let the Committee conſider how that aſſertion would ſtand. It had been ſaid, that in the majority of ſuch caſes, the power had been given to the Prince of Wales. If ſuch caſes could be adduced, they would, he owned, be caſes in point; but then to prove what? To prove, that ſuch Heirs Apparent poſſeſſed no inherent right. If a right exiſted to repreſent the King, it muſt be a perfect and an entire right, a right admitting of no modification whatever, becauſe if any thing ſhort of the whole power were given, it would be leſs than by Right could be claimed, and conſequently an acknowledgment that no ſuch Right exiſted. But could any ſuch caſes be pointed out? By a reference to the Ancient Records, it would be found that the *Cuſtodes Regni*, or *Lieutenant for the King*, had never been inveſted with the whole Rights of the King himſelf. The powers given to the *Cuſtodes Regni* had been different under different circumſtances; a plain and manifeſt inference thence aroſe, that the *Cuſtodes Regni* did not hold their ſituation as a Right, but by appointment. The powers of beſtowing benefices, and doing other acts of Sovereignty, had been occaſionally given to the *Cuſtodes Regni*, which ſhewed that their powers had been always ſubject to ſome limitation or other. After dwelling upon theſe proofs, that no Right to repreſent the Sovereign in his life-time had ever exiſted, as far as our Records could teſtify, he obſerved, that in modern times Lords Juſtices had been frequently appointed to the exerciſe of ſovereign authority, during the reſidence of a Prince of age in the country.

Another inſtance that occurred to him was, where the exerciſe of Royalty had been interrupted by ſevere

illneſs, and which appeared to him to be more a caſe in point than any other to the preſent melancholy moment; this was the Precedent of the reign of Henry the Sixth, where the Heir Apparent was not of full age; it would then, to ſupply the defect of that Precedent, be neceſſary to have recourſe to the principles of the Conſtitution, and to the laws of the land; it would be found, that though the Parliament of that day provided for the moment, that they were not content with ſuch proviſion, but that they looked forward to the time when the Heir Apparent ſhould attain full age, granting him a reverſionary patent, the ſame preciſely with the Regent's, to take place when he ſhould come of age. Thus, though they provided for allowing him at that period more conſiderable powers than they had ſuffered him before to poſſeſs, they had ſtill not granted him the full powers of Sovereignty, but had made ſuch limitations that proved their moſt poſitive denial of any Right exiſting. That inſtance, though a ſingle one, and where the Heir Apparent was not of full age, was ſufficient to ſhew the ſenſe of Parliament in thoſe days, as much as if the Heir Apparent had been of full age. If no precedent contrary to thoſe he had ſtated to the Committee could be advanced, he ſhould preſume that it would be evident to the Committee, that no Right exiſted with an Heir Apparent, or an Heir Preſumptive, to aſſume the functions of Royalty on the temporary incapacity of the Sovereign, nor any Rights but thoſe delegated by the two remaining branches of the Legiſlature. He ſcrupled not therefore to declare, that no poſitive law, nor no analogy from any law, could be adduced to ſupport the doctrine of Right. A record had indeed been quoted elſewhere (alluding to the Houſe of Lords) to prove that the King

King and the Heir Apparent was one and the ſame perſon, and that it followed of courſe, that on the incapacity of the King, the Heir Apparent had a legal and clear Right immediately to exerciſe the ſame powers that the King had poſſeſſed; but there was a different opinion held of that record, by perſons of great eminence and authority in the law, and by their opinion, a far different concluſion was drawn from the ſame record, the metaphorical expreſſion of which was not to be taken literally.

Another opinion which had been ſtarted was, that if Parliament had not been ſitting, that then the Prince would have had a right to aſſume the Royal Authority, and ſummon Parliament; that he alſo expreſsly denied. Thoſe, he ſaid, who were like him ſtanding up for the Rights of Parliament, and through Parliament for the Rights of the people, were peculiarly fortunate in one particular: they were as fortunate as moſt of thoſe, who had truth and juſtice on their ſide, generally were; for little was left them to do, *but to controvert and overcome their antagoniſts, by ſtating to them, and comparing their own arguments and aſſertions, made at different times, and as the occaſion ſuited**. It had been ſaid elſewhere by a learned Magiſtrate, (who had choſen to force his own conſtruction on their ſilence,) that our anceſtors, if they had entertained any doubt of the Right of an Heir Apparent, would, in their wiſdom, have provided for ſo poſſible a caſe as the preſent. So far from leaving it to that learned Lord's wiſdom to interpret, it muſt, he ſaid, be believed by the Committee, that they would have provided for it in plain,

* See a pamphlet juſt publiſhed by Stockdale, intituled "POLITICAL BLOSSOMS *of the Right Hon. Charles James Fox.*"

diſtinct, clear, and expreſs words, and would not have left it liable to be differently underſtood, as different men choſe, for different reaſons, to ſay it ought to be underſtood; the wiſdom of our anceſtors, however, he conceived, was better proved by their having ſaid nothing upon it, but left ſuch a queſtion to be decided where it ought to be decided, whenever the occaſion required it, by the two Houſes of Parliament. That the Committee might aſſert the ſame, he meant, in the Reſolution he ſhould offer, to quote that doctrine from the Bill of Rights, and aſſert that it reſted with the Lords and Commons as the rightful Repreſentatives of the people. If the contrary doctrine was ſo evident that it muſt be true, if the Heir Apparent, or Heir Preſumptive, had a clear right to aſſume the Royal Prerogatives, on the interruption of thoſe powers, he ſaid, he deſired to aſk every Gentleman in the Committee, whether they would wiſh to adopt ſuch a doctrine as a doctrine applicable to the ſafety of the Crown, which had been long glorioufly worn by his Majeſty, and which it was the ardent, the ſincere wiſh of his people, he might long continue to wear, until it ſhould in due time, and in a natural manner, deſcend to his legal and his illuſtrious Succeſſor. He deprecated the idea of avoiding the diſcuſſion of what limitations might be neceſſary for enſuring the ſafety of the Crown on the head of its preſent Poſſeſſor, on account of the many virtuous qualifications of the Prince, or out of reſpect to any other motive whatever. It would not have been wiſdom in our anceſtors, had they ſaid, that the care of the perſon of the Sovereign ought to be veſted in the Heir Apparent. He hoped in this declaration not to be miſunderſtood, for he was ready to acknowledge the greateſt and beſt qualities in the preſent

ſent Heir Apparent; but he would rather prefer what he ſaid to be miſrepreſented in any manner, and any where, than ſacrifice the duty he owed to the ſafety of his Sovereign, and to the intereſts of the people. The Right Hon. Gentleman oppoſite him had ſaid, on a former day, that his Royal Highneſs had as clear a right to the exerciſe of Sovereign Authority, as he would have had in caſe of the natural demiſe of the Sovereign, and that he conceived the preſent to be a *civil death*. Could the Committee conſider his Majeſty's indiſpoſition, which was not an uncommon caſe, and generally but temporary,—could they conceive that his Majeſty had undergone a *civil death?* He was ſure they would not. If ſuch a thing exiſted at the preſent moment, as a *civil death*, his Royal Highneſs would immediately aſcend the Throne, with the full exerciſe of Royal Prerogative, and not as a Regent; for a *civil death*, like a natural death, was permanent. He ſtated, from Mr. Juſtice Blackſtone, that there were but two caſes in which a man could undergo a *civil death*; the firſt of which was, his being baniſhed from the realm by proceſs of common law, or by his having entered into religion, and become a monk profeſſed, thereby taking himſelf for ever away from all ſecular concerns. The firſt was an act which cut off a criminal from all ſociety within the realm, and the other was the voluntary act of retiring from the world. Would any man pretend, that either of thoſe caſes was analogous to the preſent unfortunate incapacity of his Majeſty? Would any perſon ſay, that his Majeſty had by proceſs of law been diſabled, or by his own voluntary act rendered incapable of wearing the Crown? Would they aſſert, that acts of perpetual diſability were analogous to the viſitation of God, a ſtroke in-

flicted by the hand of Providence, which might, and probably would, be but temporary? Could it be pretended, that *they* ought to be adduced as acts to prevent his Majesty from in future exercising those powers which he had never forfeited, which he had never renounced?—After having advanced so much in contradiction to the Claim of Right, he believed no one would think of asserting it. The only question then was, and to which what had passed before was but preliminary, Where did the right exist? If no provision in precedent, in history, or in law, was to be found for the exercise of such authority on the disability of the Sovereign, where was it to be found? It was to be found in the voice, in the sense of the people: with them it rested; and although in extraordinary cases, in most countries, such an event as the calamity they all deplored would have gone near to dissolve the Constitution itself, yet in this more happily tempered form of government, equally participating the advantages, and at the same time avoiding the evils of a Democracy, an Oligarchy, or an Aristocracy, it would have no such effect; for though the third estate of the Legislature might be deficient, yet the organs of speech of the People remained entire in their Representatives, by the Houses of Lords and the Commons, through which the sense of the people might be taken. The Lords and the Commons represented the whole estates of the people, and with them it rested as a Right, a constitutional and legal Right, to provide for the deficiency of the third branch of the Legislature, whenever a deficiency arose: they were the legal organs of speech for the people, and such he conceived to be the true doctrine of the Constitution. He said, he would not merely state these as his own opinions, but he would state

ſtate them to be the opinions of thoſe who had framed the Revolution; who had not, like the Committee, to provide for the interruption of regal powers while the throne was full, but to ſupply the deficiency of the third branch of the Legiſlature, which was wholly vacant. Whenever the third branch, however, of the Legiſlature was wholly gone, or but ſuffered a ſuſpenſion, it was equally neceſſary to reſort to the organs of the people's ſpeech. Agreeable to the laws of the land, to the records of Parliament, to precedent, and to the conſtitution, the political capacity of the King, except in caſes of abſolute forfeiture of the Crown, was always conſidered as legally entire; and during that political capacity, according to the ſpirit of the Conſtitution, if any natural incapacity ſhould cauſe a ſuſpenſion of the Royal Authority, it then reſted with the remaining branches of the Legiſlature to ſupply ſuch defect. In every proceeding of the Parliament in the reign of Henry the Sixth, they had acted upon ſuch power, and declared who, and in what manner, the Royal Authority was to be exerciſed, for and in the name of the King. In that reign, the Duke of Glouceſter claimed the Regency, and applied to Parliament for the ſame as his right; but the anſwer of Parliament to ſuch claim was, that he neither had by birth, nor by the will of his brother, any right whatever to the exerciſe of the Royal Authority. They, however, appointed him Regent, and intruſted him with the care of the young King. Here was an inſtance of the Claim of Right having been actually made; and an inſtance likewiſe that it had been fully decided upon by the then Parliament, that neither from the law of the land, nor from precedent, any ſuch right exiſted. The Rights of Parliament were, he ſaid, congenial with

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the Conſtitution. He referred the Committee to every analogy that could be drawn from the principles of the Conſtitution, and the only Right, he ſaid, it was clear, would be found to exiſt in Parliament,—a Right capable of ſo effectually providing for the deficiency of the third branch of the Legiſlature, as to enable them to appoint a power to give ſanction to their proceedings, in the ſame manner as if the King was preſent. As the power of filling the Throne reſted with the people at the Revolution, ſo at the preſent moment, on the ſame principles of liberty, on the ſame Rights of Parliament, did the providing for the deficiency reſt with the people. He declared, he felt himſelf inadequate to the great taſk of ſtating the rights and privileges of the Conſtitution, and of Parliament; but he had made it appear, as plainly as he could, that no Right exiſted any where, to exerciſe the whole or any part of the Royal Prerogatives, during the indiſpoſition of the Sovereign. He had alſo proved, that, from the neceſſity of the caſe, it reſted with that and the other Houſe of Parliament, to provide for the deficiency in the Legiſlature. He ſuppoſed, that doubts might be ſtated, as to the propriety of coming to any deciſion on the queſtion, and that he might be charged with having ſtirred notions dangerous to the ſtate; but ſuch queſtions, he begged it to be remembered, *he* had not ſtirred. When queſtions concerning the Rights of the people, the Rights of the Parliament, and the intereſt of the nation, were ſtarted, it was neceſſary, if the Houſe had a right on the ſubject, to exerciſe that right; it was their duty, it was a matter that could by no means be lightly given up. If it was their duty, in the preſent calamitous ſtate of the nation, to grant power, they ought to know *how* they granted ſuch power:

power: they must decide either in the manner of a choice, or as acting judicially to recognize a Claim of Right; and if they recognized such claim, it would be an acknowledgment that they had no power to deliberate on the subject. If they did not come to some decision, they would confound their own proceedings, and it would be highly dangerous to posterity in point of precedent; they were not, therefore, to consult their own convenience. He remarked, that originally the Claim of Right had been asserted by the Right Hon. Gentleman in strong and lofty terms, but that the tone had been since somewhat lowered. He noticed a declaration that had been made elsewhere, of no intention of asserting a Right; but it had been made in words, and there was no parliamentary ground to go upon, that a Right would not be, at some future period of our history, attempted to be either assumed, or asserted. He declared, he could see no possibility of the Committee proceeding a single step further, without knowing on what kind of ground they proceeded, and therefore it became indispensibly necessary to have the Question of Right decided. The danger of the question originated in its having been stirred, not in its being decided. The danger of the stirring would be done away by the decision; but the leaving it undecided, and equivocal, would be highly dangerous. The decision of both Houses could be attended with no dissention; but if the Right of Parliament was not confirmed, the measures of both Houses would be imputed, he feared, rather to motives of personal interest and convenience, than to a due regard for the interest of the country. The measures he meant to propose, were dictated from no other motives than an anxious desire, in conformity to his duty, to

provide for the ſafety of the King, the Rights of Parliament, and the intereſts of the People.

The Right Hon. Gentleman in the courſe of his ſpeech took notice of the opinions ſtated by a noble Lord in another place, in contradiction to his aſſertion, that the Prince of Wales *had no more right to aſſume the Regency than any other individual ſubject.* He ſaid, he underſtood that in arguing that matter, ſome very extraordinary modes of reaſoning had been reſorted to. Among other proofs, that the Rights of the Prince of Wales were different from thoſe of other ſubjects, it had been ſaid, that the Prince of Wales was in an old Record quoted by Lord Coke, pronounced *one and the ſame with the King.* The fact certainly was ſo, but to draw from ſuch a circumſtance, an argument, that the Prince had a Right to exerciſe the Sovereign Authority under the preſent circumſtances of his Majeſty's unfortunate incapacity, was an inference ſo monſtrous, that he ſhould think he deſerved cenſure for ſporting with the gravity of the Houſe, if he ſuffered himſelf to treat it with any thing like ſerioufneſs. In truth, a very different concluſion might be drawn from the whole of that Record, the metaphorical language of which was not to be taken in a literal ſenſe, in that or any other point of ſo much importance. Another poſition laid down at the ſame time and in the ſame place, was, that the Prince of Wales, as Heir Apparent, and being of full age, could aſſume the exerciſe of the Sovereign Authority, if his Majeſty's infirmity had occurred when Parliament was *not ſitting*, but that doctrine had been ſo expreſsly contradicted in that Houſe by the Right Hon. Gentleman oppoſite to him, when the ſubject was laſt agitated, that it was needleſs for him to ſay a ſyllable more upon it. A third argument

ment urged in ſupport of the Prince's rights was, that a Prince of Wales, when he came to the Crown, could ſue out an execution as King in a cauſe in which he had obtained a judgment as Prince of Wales. But what was there in that? The reaſon why the Prince of Wales had this advantage over other ſubjects was obvious. If the ſon of a Peer, who had maintained a ſuit in the Courts in Weſtminſter Hall, and obtained a judgment, ſucceeded to his father's honours before he had ſued out an execution, he could not ſue out an execution without previouſly identifying himſelf, and convincing the Court that he was the ſame perſon who had proſecuted the ſuit, and obtained the judgment. And why was not the Prince of Wales obliged to do the ſame? For this plain reaſon, the Courts of Weſtminſter Hall are held in the name of the King, and therefore in his own Courts, it muſt be a matter of notoriety, that on the demiſe of the Crown, the Prince of Wales had ſucceeded to it, and become King: But were theſe arguments multiplied ten times over, what did they prove? Merely that the Prince had rights of ſome ſort or other, peculiar to himſelf; but did they prove, that he had a right to exerciſe the Sovereign Authority on his Father's incapacity, without the conſent and declared approbation of the two remaining branches of the Legiſlature? No more than a proof that a man had an eſtate in Middleſex, was a proof that he had another in Cornwall, and a third in Yorkſhire. In fact, all theſe arguments put together, regarded and conſidered with a reference to the point in diſpute, viz. Whether the Prince of Wales, as Heir Apparent, had a right to exerciſe the Sovereign Authority, during the Incapacity of his Majeſty, were ſo irrelevant, ſo foreign to the

Queſtion, and ſo perfectly abſurd, that they were not to be relied on as Law, *even if they came from the mouth of a Judge*. In a ſubſequent part of his Speech, the Chancellor of the Exchequer, talking of the ſtrong and lofty aſſertion that had been at firſt made of the Right of the Prince of Wales, as Heir Apparent, to *aſſume* the exerciſe of the Sovereignty ſaid, that doctrine had been *retracted*,—he begged to retract the word, not retracted, but diſavowed. This reminded him of the Precedent in the reign of Henry the Sixth, during which the Duke of Gloucester quarrelled with the Biſhop of Wincheſter, which diſagreement roſe ſo high, and was carried ſo far, that at length the Duke brought a criminal charge againſt the Biſhop, accuſing him of having in a former reign adviſed the Prince of Wales (afterwards Henry the Fifth) to aſſume the Sovereign Authority in the life-time of his father, Henry the Fourth. Though this charge, if proved, would have been High Treaſon, the Biſhop deſired that it might go to the Judges, and the validity of it be enquired into. The quarrel, however, was compromiſed on grounds of perſonal convenience, and the charge never came to a legal deciſion. Towards the concluſion of his ſpeech, after having eſtabliſhed the *right* of the two Houſes of Parliament to provide the means for ſupplying the defect in the caſe of the King's incapacity to exerciſe the Sovereign Authority, the Chancellor of the Exchequer took care to impreſs the Houſe with a conviction, that if they had a *right* they had alſo a duty, and that a *duty*, which neither their allegiance nor their affection to their Sovereign would allow them to diſpenſe with. It was their duty at this time not only unequivocally to declare their Right, ſo that it might remain aſcertained, and beyond the poſſibility of all

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queſtion hereafter, and be ſecured to poſterity, but to proceed without delay to exerciſe their Right, and provide the means of ſupplying the defect of the perſonal exerciſe of the Royal Authority, ariſing from his Majeſty's Indiſpoſition. He reaſoned againſt the probability of their deciſion either cauſing a diſſention between the two Houſes of parliament or producing any miſchievous conſequences of any kind. On the contrary, if the Right were not declared as well as decided, it would appear that the two Houſes had made a compromiſe unbecoming themſelves, and had acted upon perſonal motives rather than a due regard to the true intereſts of their Country.

The *Chancellor of the Exchequer* here read his two Reſolutions, as follow; and after he had read the two, he moved the firſt, which was agreed to *nem. con.*

I. That it is the opinion of this Committee,

" That his Majeſty is prevented, by his preſent indiſpoſition, from coming to his Parliament, and from attending to public buſineſs, and that the perſonal exerciſe of the Royal Authority is thereby for the preſent interrupted."

II. That it is the opinion of this Committee,

" That it is the right and duty of the Lords Spiritual and Temporal and Commons of Great-Britain now aſſembled, and lawfully, fully, and freely repreſenting all the eſtates of the people of this realm, to provide the means of ſupplying the defect of the perſonal exerciſe of the Royal Authority, ariſing from his Majeſty's ſaid indiſpoſition, in ſuch manner as the exigency of the caſe may appear to require."

Reſolved,

" That for this purpoſe, and for maintaining entire the Conſtitutional Authority of the King, it is neceſſary

neceſſary that the ſaid Lords Spiritual and Temporal and Commons of Great-Britain, ſhould determine on the means whereby the Royal Aſſent may be given in Parliament to ſuch Bill as may be paſſed by the two Houſes of Parliament, reſpecting the exerciſe of the powers and authorities of the Crown, in the name, and on the behalf of the King, during the continuance of his Majeſty's preſent indiſpoſition."

The *Maſter of the Rolls* followed the Chancellor of the Exchequer, and began upon the legal view of the queſtion with declaring, that till within the laſt ten days, he never had heard of there exiſting any right in his Royal Highneſs the Prince of Wales, either to aſſume (as it had been firſt ſtated) or that attached (as it had been ſince explained) upon the declaration of the two Houſes of Parliament of the temporary incapacity of the Sovereign to exerciſe the Royal Authority during ſuch incapacity. Sir Richard quoted a great variety of legal authorities to prove the reverſe to be the fact. He called upon the learned Gentlemen of his own profeſſion to point out the ſtatute that contained any recognition or declaration of ſuch a right's exiſtence, or any law-book whatever, and he referred to ſeveral ſtatutes and law-books that were likely to have noticed it, if any ſuch right had exiſted, but which were all of them completely ſilent on the ſubject. Sir Richard alſo obſerved upon what had fallen from a Noble and Learned Lord in another place, laſt Thurſday, reſpecting the Prince of Wales and his Majeſty being deemed *one and the ſame perſon* in a particular record. He ſaid he had read the Record, and he explained to the Houſe what its ſubject was, by quoting an extract from it. After a great deal of legal diſcuſſion, Sir Richard conſidered the precedent in the reign of Henry VI. and

reaſoned

reaſoned upon it, laying great ſtreſs upon its pointed analogous reference to the preſent caſe. Before he ſat down, he declared, he had no doubt whatever, but that it was the Conſtitutional Right of both Houſes to provide for the interruption of the Royal Authority during the continuance of his Majeſty's illneſs. Sir Richard ſpoke very reſpectfully of the Prince in the courſe of his argument, and gave it as his opinion, that the beſt way to teſtify a proper reſpect for his Royal Highneſs, would be by deciding in favour of the rights of Parliament, on the preſervation of which the welfare of the Crown, and the intereſts of the people, ſo eſſentially depended.

Mr. *Loveden* profeſſed himſelf a ſtrong friend to unanimity, thinking it a moſt deſireable object to be attained in the conduct of the preſent truly important proceedings. Mr. Loveden begged to be permitted to aſk the Right Hon. the Chancellor of the Exchequer two queſtions; one, whether by the Reſolutions that had been juſt read, he meant to preclude his Royal Highneſs the Prince of Wales from being Regent and ſole Regent; the other, whether by the words towards the end of the Right Hon. Gentleman's ſpeech, relative to motives of private intereſt or convenience, the Committee were to underſtand, that ſuch Gentlemen as would not ſubmit to vote for the Reſolution, would have their votes imputed to private intereſt and private convenience.

The *Chancellor of the Exchequer* ſaid, he ſhould be exceedingly happy to give any Gentleman the fulleſt ſatisfaction, if he appeared to have miſunderſtood any part of what he had ſaid. With regard to the firſt of the two queſtions, viz. Whether he meant by the Reſolutions to preclude his Royal Highneſs the Prince of

Wales from being Regent, and ſole Regent? he believed Gentlemen knew, that he had on Friday laſt very fully intimated his individual ſentiments on the ſubject, and had declared, in expreſs terms, *that it was, in his opinion, highly deſireable, that whatever part of the regal power it was neceſſary ſhould be exerciſed at all, during this unhappy interval, ſhould be veſted in a* ſingle perſon, *and that perſon his Royal Highneſs the PRINCE of WALES.* The preſent Reſolution was only calculated to declare the right of the Houſe, in concurrence with the Houſe of Lords, to appoint a Regent, and to leave it open for them to determine in a ſubſequent ſtage who the Regent ſhould be. With regard to the Hon. Gentleman's conceiving that he had ſaid, thoſe who would not ſubmit to vote for the Reſolutions, would have their votes imputed to motives of private intereſt and convenience, he ſhould be heartily aſhamed if he could have been indecent enough to have been guilty of ſo much rudeneſs to that Committee, or any individual members. In mentioning the conſtruction the world might poſſibly put upon their conduct at that moment, and under the peculiar circumſtances of the caſe, he had ſaid, that if when the eſſential conſtitutional rights of the two Houſes were queſtioned and doubted, they refuſed to vote Reſolutions that would decide upon them, and inſure them to their poſterity, they would render themſelves liable to have their conduct imputed rather to motives of perſonal intereſt and perſonal convenience, than to a due regard of their duty, and that attention to the honour and ſafety of the Crown, as well as to the preſervation of their own clear and invaluable Conſtitutional Rights which they owed to the country and to themſelves.

Mr.

Mr. *Baſtard* ſaid, he had no view in riſing, but merely a wiſh to promote the public good; he roſe, therefore, without looking to the right or to the left, equally indifferent to both parties, earneſtly to intreat Miniſters before they preſſed the Committee to come to a vote on the Queſtion, to conſider the conſequences it might poſſibly produce. He profeſſed himſelf anxiouſly deſirous that there ſhould be unanimity in the progreſs of ſo important a buſineſs; and by unanimity he did not merely mean unanimity within thoſe walls, but unanimity between the two Houſes of Parliament. Should the Houſe of Lords decide differently from that, ſuch conſequences might ariſe, as he could not reflect on without horror. He aſked what poſſible advantage could reſult from preſſing the Reſolution in its preſent form? He had heard a declaration made in another place, from the higheſt authority, that his Royal Highneſs the Prince of Wales never had made any Claim of Right whatever on his part, and that he felt too much ſincere regard for thoſe ſacred Principles which had ſeated the Brunſwick family on the Throne of theſe Realms, ever to aſſume or exerciſe any power, *be his claim what it might*, not derived from the will of the people, expreſſed by their Houſe of Lords and the Repreſentatives of the people in Parliament aſſembled. Why then ſhould a Reſolution be preſſed, where no claim had been made, and an aſſurance had been given, that no claim would be made? Mr. Baſtard adviſed the leaving out the word *right*, and confining the Reſolution to the words, "that it was their *duty* to provide," which, he ſaid, would, in effect, anſwer the ſame end, and at the ſame time avoid the riſque of provoking a diſagreement between that and the other Houſe of Parliament. He ſaid, at preſent he

believed the Right Hon. Gentleman at the head of the Exchequer, ſtood higher in the eſteem of the people than the Right Hon. Gentleman on the ſide of the Houſe on which he then ſpoke; he hoped to God, therefore, a regard to his own credit and the favour in which he ſtood with the public, would induce him to alter his Motion, and prevent the poſſibility of provoking that danger which he had deſcribed, in the early part of his ſpeech: he ſaid, he urged this the more earneſtly as he ſaw not the ſmalleſt poſſible advantage that could reſult from preſſing the Queſtion, worded as it was, on the Committee.

Lord *North* begged leave to riſe thus early in the evening, becauſe he found the diſcuſſion would keep the Committee ſitting late, and he was afraid that his infirm ſtate of health would not permit him to ſtay much longer. He roſe not, however, to anſwer the Queſtion of the Hon. Gentleman who had juſt ſat down, and who had aſked what poſſible advantage could be expected from preſſing the Queſtion on the Committee? For one, his Lordſhip ſaid, he knew not what anſwer could be given to the Hon. Gentleman's queſtion, becauſe he ſaw no poſſible advantage that could reſult from it. On the contrary, he agreed with the Hon. Gentleman, that deciding the queſtion, might lead to conſequences, which it ought to be their ſtudy to avoid incurring; it appeared to be a dangerous and pernicious queſtion. Having deſired to have the queſtion read, his Lordſhip ſaid he felt moſt objection to the ſecond part of this queſtion, though he likewiſe felt much objection to the firſt part as well as to the ſecond. The Right Hon. Gentleman had ſaid, he was afraid, unleſs the Committee decided on that queſtion, and that in the way that he thought right, that the country would

would conceive they had been actuated by perſonal motives, inſtead of impartial motives. It did not ſtrike him, that by agreeing with the Hon. Gentleman, and voting that queſtion, they would appear to have acted with greater impartiality, or that the public would be convinced that they had been actuated by motives leſs perſonal than if they did not vote it. His Lordſhip ſaid, their much beloved Sovereign was at preſent in a melancholy ſtate of health, and they all hoped, by the Bleſſing of God, that he would recover; but after the fact was eſtabliſhed of the incapacity of their Sovereign to exerciſe his Royal Authority, they ought immediately to proceed to reſtore the third branch of the Legiſlature, and the ſooner they did that neceſſary act of duty, the leſs, his Lordſhip ſaid, would their proceedings be liable to the imputation of their having acted from perſonal motives. He argued with the Right Hon. Gentleman, that the two Houſes of Parliament were the true and lawful repreſentatives of all the eſtates of the people. But he begged the Committee to conſider, that in conſequence of that melancholy misfortune which they all deplored, and which every man of feeling muſt deplore, they were ſitting, not indeed in the form of a convention (becauſe it happened that the two Houſes of Parliament had been regularly called together,) but with not a whit more authority than a convention poſſeſſed, to do that duty which the calamity of the moment called upon them to perform. Under ſuch circumſtances, ſitting there in a maimed and imperfect Legiſlature, they ought to confine themſelves ſtrictly to the neceſſity of the caſe, ſince every ſtep they proceeded beyond the neceſſity of the caſe, was a ſtep in error, and a ſtep they ought not to take. Every ſtep they had hitherto taken had been ſtrictly juſtified by the neceſſity of the caſe. Without the third branch

of

of the Legiſlature, they had no power, they ought therefore immediately to proceed to fill the vacancy that unfortunately exiſted, and not enter into a diſcuſſion of abſtract and ſpeculative queſtions, which tended only to diſſenſion and miſchief. What good could ariſe from deciding the preſent queſtion? And if no good was likely to reſult from it, he hoped the Committee would go along with him in preventing the miſchief, and proceed immediately to the buſineſs, the only buſineſs before them, the filling up the third branch of the Legiſlature. He ſaid, he would give his vote for filling up the deficiency without ſaying what the rights of the two Houſes were, or what they were not. An expreſs declaration had been made elſewhere, that it never was the intention to urge the Claim: Where then exiſted the danger to the Rights of Parliament when no plea was offered in bar? He ſuppoſed, however, the queſtion was only introduced to be over-ruled, and that, as they agreed as to the two great eſſential points, the Right Hon. Gentleman was determined they ſhould not proceed from the firſt, to that which ought truly to be the ſecond, without ſome altercation by the way. If there had been any queſtion, as to who ought to be entruſted with the Regency? the Queſtion of Right might have been with ſome plauſibility brought forward. They were unanimous upon the principle, why ſhould they fall out about the forms? They ought to go ſtrait to their object, about which they were all agreed. Another objection his Lordſhip made, was this; the Motion, he obſerved, called upon him to declare the Rights and Duty of the Lords Spiritual and Temporal. What right had that Houſe to interfere with the Rights and Duties of the other Houſe? In the econd part of the queſtion he ſaw a project for paſſing a Bill,

a Bill, a project directly violating the fundamental principles of the Conſtitution, and which for that reaſon he could not agree to. What right had that Houſe to make laws? To paſs a Bill, was to do an act of Legiſlation, and to aſſume into the hands of the two Houſes powers that did not belong to them; powers that the Conſtitution had placed in the hands of King, Lords, and Commons, in Parliament aſſembled, and in their hands only. The plain road of proceeding was eaſy and ſhort; proceed directly to nominate a Regent, and then when the third branch was reſtored, and the Legiſlature was compleat, they would become a Parliament perfect in all its Conſtitutional forms, and they might legally paſs any laws either of limitation, reſtriction, or of any other kind. But to attempt to proceed otherwiſe was to intrench on the prerogatives of the Crown, while they lay at their mercy. His Lordſhip ſaid, however reſpectable his Right Hon. Friend's opinion were, it was making him of more importance than he would wiſh to have annexed to him, to ground a public proceeding of that Houſe on any opinion of his. His Lordſhip added a variety of other forcible and appoſite remarks, and then moved that the Chairman "Report progreſs and leave the Chair."

Mr. *Powys* ſeconded the Motion of Amendment, and aſſerting that in ſo critical a moment as the preſent, every Gentleman ought to avow his opinion, proceeded ſhortly to ſtate, that he was adverſe to a declaration of the Rights of that Houſe, when no claim had been made, that rendered ſuch a declaration neceſſary. Mr. Powys, in the courſe of his ſpeech noticed the raſhneſs of aſſerting, that the Prince of Wales had no more Right to the Regency, than any other individual ſubject, and made ſeveral obſervations on the danger

danger of broaching ſuch doctrines, declaring at the ſame time, that he did not mean any thing invidious or perſonal in the references to ſuch an aſſertion, but merely to expreſs his opinion, that any man who made an aſſertion of that ſort, did not adopt a line of conduct likely to preſerve the temper and moderation that ought to mark their proceedings on ſo ſolemn an occaſion.

Mr. *Rolle* roſe, in compliance with the ſentiments of Mr. Powys, that every man ought to avow his opinion in ſuch a critical moment, and declared, the Queſtion of Right was indiſpenſibly neceſſary to be diſcuſſed and decided, after what had paſſed in that Houſe and elſewhere; upon which the Rights and Privileges of the Prince, of the Con nons of England, and the Liberties of the People depended. It was not merely the declaration of an inſignificant individual, thrown out on ſpeculation, but it was made in a very peremptory and dictatorial manner, in the Senate of the Nation, by a perſon believed to be in the confidence of his Prince, ſurrounded by others his moſt confidential friends, not attempted to be contradicted or explained away by any, but even ſupported by one (Mr. Sheridan) until they had conſulted their pillows, and met in Convention at an appointed place. The mere effect of words were afterwards endeavoured to be done away, but the ſubſtance and principle remained as much at iſſue as ever it was. A deciſion either way Mr. Rolle thought leſs likely to inflame than to permit the Queſtion to float in ſuſpence. Mr. Rolle ſaid, he always acted from the dictates of conſcience, and delivered his ſentiments with the ſame indifference to parties as his worthy colleague had declared he did. He had no doubt, whatever difference there might be in their means of attaining

ing the end, their object was the ſame, the real intereſt and happineſs of their Country, the Preſervation of the Conſtitution, and the juſt Rights and Privileges of the King, the Prince, the two Houſes, and the Public. He had not the ſame dread of a diſpute between the two Houſes of Parliament, nor with another Kingdom; ſuch imaginary fears ought not to make this Houſe ſhrink from its duty and conſequence. His worthy colleague was preſent when Mr. Rolle told his conſtituents (in uniſon with whoſe ſentiments he ever wiſhed to act) that it was meaſures and not men he would ever look to for his public guide; and that ſo long as the Right Hon. Gentleman at the Head of the Treaſury appeared to him to be actuated by principles of loyalty to the King, and of zeal and regard to the intereſt of the Nation and the conſtitutional Rights of the ſubject, he ſhould have his ſupport, and no longer. He agreed with his colleague, that the Right Hon. Gentleman's conduct hitherto had been ſuch as to entitle him to the confidence and applauſe of his country, which had gained him a preference in the public opinion and wiſhes to his opponent (Mr. Fox). He had reſtored our commerce, and exalted the national character, both of which were in a ſtate of ruin and degradation when he was placed by his Sovereign, with the general voice of the people, to conduct the moſt important truſts of the country. On the preſent occaſion he appeared to be actuated by an anxious and ardent wiſh to preſerve the Rights of the Crown ſafe and entire, in a moment of ſingular calamity and misfortune, therefore his honeſt endeavours ſhould have his moſt zealous and ſincere ſupport. Mr. Rolle profeſſed the higheſt reſpect for the Prince of Wales, declaring no perſon wiſhed more fervently for his real

intereſt and happineſs than he did; notwithſtanding he would never allow him the inherent Right independent of the two Houſes, yet he was ready to admit that a Prince of Wales, of full age and capacity, was the propereſt perſon to be appointed the Regent, provided he had not by any illegal or unconſtitutional act forfeited ſuch pretenſions. However brilliant might be his virtues, or illuſtrious his character, it ſhould never ſo far dazzle his eyes as to make him loſe ſight of the duty he owed to a lawful and much beloved Sovereign, and to the People of England. If the Prince ſhould be the Regent, Mr. Rolle ſaid, he ſhould ever find him firmly attached to his true intereſts, and ever loyal and dutiful to himſelf and family. When the great queſtion comes, he would endeavour to diſcharge the great truſt delegated to him by his conſtituents, to the beſt of his judgment, faithfully, and conſcientiouſly, without fear or partiality either on the one hand or the other.

The *Attorney General* then roſe and ſaid, that as his duty required of him, he had uſed ſome induſtry in looking into the ſubject of the preſent debate, and had adverted to the arguments of the noble Lord, with the reſpect due to his ability and experience; but he muſt at the ſame time ſay, that the noble Lord's acute diſcernment never appeared to him to have failed ſo much as on the preſent occaſion. The objects which the noble Lord was anxious to attain, were the very objects of the preſent motion—Expedition and conſtitutional certainty. No loſs of time could be incurred by determining that it was the *right and duty of the Lords and Commons* to provide for the preſent exigency; on the contrary, that ſuch a Reſolution was a neceſſary foundation for all their future proceedings, as well as

to vindicate the rights of the whole community. He deſired that the diſtinction between the *politic* or official capacity of the Crown, and the *natural* and human capacity of the perſon of the King, might ever be kept ſeparate, for upon that diſtinction the whole rectitude of their proceedings depended. The *politic* capacity was *invulnerable*, the *natural capacity not ſo*. The former required no ſupply, the latter only unfortunately did. The mode in which the latter was in ancient times ſupplied, lay in ſome obſcurity. Whether in tender infancy the expreſſion of the King's will by his Great Seal was directed by his Privy Council, his great Council of Peers, or his ſtill greater Council of Parliament, was a matter of ſome obſcurity, but that it was ſo manifeſted is certain, and that manifeſtation by the Great Seal is proved by the Rolls of Parliament, uniformly to have been deemed neceſſary. In what ſhape it was to be manifeſted in the preſent inſtance would be the ſubject of future conſideration. He admitted with the noble Lord, that to act, and not to determine abſtract queſtions, was the duty of the Committee; but that it was impoſſible to conſider the explaining the principles upon which the Committee acted to the Community at large, as an abſtract queſtion, or ſo to conſider it, with a view to conduct which, for the benefit of that Community, they were bound to obſerve. He begged leave to advert to the ſituation in which both Houſes of Parliament, met in obedience to the King's Writ of Summons, were then placed. They were the only poſſible Counſellors to adviſe the King's *politic* capacity as to the mode in which the exerciſe of the *natural* capacity might be ſupplied, in the preſent ſituation of affairs, and dwelt for ſome time upon the diſtinction between the natural aad politic capacity of the

King, which conſtituted the difference between an abſolute vacancy of the Throne, (which exiſted at the Revolution) and a temporary ſupply of ſome of its natural functions. He then obſerved that the queſtion had been greatly narrowed by the noble Lord's propoſing in effect, that the preſent debate ſhould be put an end to, upon the ſuppoſition that its continuation muſt be attended with public diſquietude, and that the Heir Apparent having tendered *no formal claim*, rendered it unneceſſary. He adverted to the perſon and the manner in which that Claim had been introduced; not by a Member of the Houſe caſually, and as it were by conjecture, but by a great ſtateſman, anxiouſly, ſtudiouſly, and upon full conſideration, deſiring to be underſtood to do it *in limine* of the whole proceeding, on the very moment of preſenting the Report of the Committee of enquiring into the ſtate of the King's health. He obſerved alſo, that a degree of acclamation had attended that propoſition, and proteſted, with ſome warmth, that ſo long as any one Member in that Committee profeſſed himſelf to adhere to that propoſition, he ſhould himſelf take the ſenſe of the Houſe upon the preſent queſtion. That their anceſtors, and predeceſſors in that Houſe, had furniſhed them with two clear and perfect examples, nearly ſimilar, at two different periods, at the diſtance of thirty-two years, in the reign of King Henry VI. founded, as the Parliamentary Records declare, on a ſearch of former precedents. From that time no precedent could be expected, as no occaſion called for any ſuch proviſion till the reign of King Henry VIII. when Regency Acts began, which had from time to time been renewed. It would, therefore, he obſerved, be *leaving* their anceſtors *in the lurch*, if the Committee deviated from thoſe examples founded

founded on all preceding practice, which proved a Regent to be unknown to the common law of the land, and a mere creature of Parliament. He enforced this by adverting to the Rolls of Parliament, which proved, that when the Duke of York was made Regent by King, Lords, and Commons, in the reign of King Henry VI. a patent was directed to be ſealed in favour of the Prince of Wales when he ſhould come of age, which demonſtrated, as he contended, that without a patent, the Prince of Wales, when of age, could not claim *as of right*, much leſs *aſſume*, the Regency of this realm. With reſpect to diſquietude of the minds of the ſubjects of Great Britain, he inſiſted that this great queſtion having been anxiouſly introduced by a Right Hon. Gentleman, it muſt now be ſettled for all poſterity. If the embers of that queſtion were ſuffered to remain ſmothering, they might hereafter burſt out in a conflagration, very, very difficult to extinguiſh; but it had been ſaid, that the preſent queſtion was entirely new, and he would for the ſake of argument take it to be ſo, at the ſame time denying that it was ſo. If new, this principle muſt be adverted to, which was the foundation ſtone of the liberties and privileges that Britiſh ſubjects enjoy: That although the neceſſity of ſome government amongſt human beings is as apparent as that of food or cloathing, yet that the powers of Government muſt be derived from the Community at large, and that it muſt be clearly and diſtinctly ſhewn, that they have parted with any ſpecific power claimed even by the Crown, much more by its ſubſtitute. The evidence of this could only be by uſage or written law; and he challenged the Gentlemen of his own profeſſion to maintain, whether there exiſted one ſingle document, *dictum*, or ſyllable, which main-

maintained the preſent doctrine, and whether there did not exiſt the moſt profound authorities to the contrary.

He then enlarged upon the ſeveral ſpecies of property, in order to ſhew that nothing could be derived from analogy to them, whether it conſiſted of perſonal or real property, of offices, or dignities, which could ſupport the argument againſt the preſent queſtion. He then conjured the Houſe not to *ſkulk* from the real and ſubſtantial queſtion of their Rights, under the ſhelter of a ſort of previous queſtion, but manfully to recollect that they were themſelves acting, not for themſelves perſonally, but for the people of Great Britain, and for the ſubjects of the empire, from the higheſt to the loweſt. The Attorney General obſerved, that the dead ſilence of the whole law upon this common law right of a Regent, was a ſtrong proof that it was unknown. If there were ſuch a common law officer, he aſked how our anceſtors, when framing the Coronation Oath, the counterpart of the oath of allegiance, had not directed that it ſhould be adminiſtered to *Regents* as well as to Kings; whereas, according to the doctrine of the day, a Regent was to ſtep into the Throne without ſuch pledge given to the people of the land for the enjoyment of their rights, civil and religious. This dead ſilence as to common law right was however interrupted by the powerful language of Parliament, when it granted a reverſionary patent to the Prince of Wales, then a minor, when he ſhould come of age. It ſeemed as if this had been done to preclude any Claim of Right for ever, and hoped we ſhould profit by that leſſon this day.

Mr. *Fox* ſaid, after what had paſſed, it was impoſſible for him to ſit ſilent, although it had not been his intention to have troubled the Committee with much

that

that day; and indeed if he had thought it neceſſary, after what the Houſe had before heard from him on the ſubject, to enter into any farther juſtification of his opinion, which he did not, he was not from perſonal indiſpoſition capable of doing that juſtice to its defence which he was ſure it deſerved. Not thinking it neceſſary to make ſuch a defence, he ſhould treat the queſtion only in a collateral way, and therefore ſhould not have occaſion to detain the Committee very long, nor was there danger of his injuring that cauſe which he had engaged in, by any deficiency of reaſoning reſulting from his preſent bad ſtate of health. After an exordium to this effect, Mr. Fox ſaid, any man would imagine that from the weakneſs of the arguments advanced on the other ſide, thoſe who had uſed thoſe arguments wiſhed to provoke him to debate the *Right* of his Royal Highneſs the Prince of Wales to exerciſe the Sovereign Authority, during the incapacity of the Sovereign. From the extreme futility of their reaſoning, from the glaring abſurdity of their inferences, the falſe premiſes that they had laid down, and the irrelevant and inapplicable precedents which they pretended to rely on, they perhaps thought that they held out a temptation ſo ſtrong, *that fleſh and blood could not withſtand it.* Could the Right Hon. Gentleman and his friends ſuppoſe that the Committee would think them ſerious in ſupporting the ſyſtem they meant to proceed upon in the preſent exigency, by producing the ſort of precedents to which they had referred? What a miſerable ſyſtem muſt that be, the prominent features of which were ſo diſgraceful? Was the practice of the preſent times, times ſo enlightened, and in which the principles of the Conſtitution were ſo well underſtood, to be grounded on precedents drawn from ſo dark and barbarous

barbarous a period of our Hiſtory as the reign of Henry the Sixth? and were the Rights of that Houſe of Commons and its proceedings, in one of the moſt difficult moments that had ever occurred, to be maintained and vindicated by the example of the Houſe of Lords, at a time that the Rights of the Commons Houſe of Parliament were ſo ill underſtood, or ſo weakly ſuſtained, that its *Speaker was actually in priſon*, on commitment of the Houſe of Lords; in priſon upon a judgment in favour of that Duke of York, whoſe meaſures Adminiſtration had avowed it to be their intention to imitate? Let the Committee reflect a moment on the period, the infamous tranſactions of which were choſen to be made the model of the proceedings of this day; that period which led immediately to the wars between the Houſes of York and Lancaſter, and was that melancholy æra at which all the diſmal ſcene of anarchy, confuſion, civil warfare and bloodſhed, that ſo long deſolated the kingdom, and reduced it to a ſtate of unparalleled diſgrace and diſtreſs, commenced? Were the Committee to ſelect their Precedents from ſuch times, and ſo govern their conduct by ſuch examples? From a time, too, when the Houſe of Commons was proſtrate at the feet of the Houſe of Lords, when the third Eſtate had loſt all energy and vigour, and when all the power lay wholly in the hands of the Barons? Precedents drawn from ſuch times could not be reſorted to with ſafety, becauſe there was no analogy between the Conſtitution then, and the Conſtitution as eſtabliſhed at the Revolution, and ſince practiſed. All Precedents taken from periods preceding the Revolution, muſt be Precedents that bore no analogy to the preſent caſe; becauſe at no one period before the Revolution was civil liberty clearly defined and underſtood, the rights of

the different branches of the Legiſlature aſcertained, and the free ſpirit of our Conſtitution felt and acknowledged. The earlier periods of our hiſtory were ſuch as only ſhewed the changes of hands into which power ſhifted, as the circumſtances of the times ordained. In one reign the power would be found to have been in the King, and then he was an abſolute tyrant; in others the Barons poſſeſſed it, and held both King and Commons in the moſt ſlaviſh ſubjection; ſometimes the democracy prevailed, and all the oppreſſions of a democratical government were practiſed in their fulleſt enormity. No Precedent, therefore, drawn from times ſo variable, where right and wrong were ſo often confounded, and where popular freedom had neither an exiſtence nor a name, ought to be relied on. Amidſt all the Precedents, he deſired to know if they had found one of a Prince of Wales, of full age and full capacity, who had been denied the exerciſe of the Sovereignty during the known and declared incapacity of the Sovereign? One of the Precedents the Right Hon. Gentleman had mentioned leant rather that way; he meant the Precedent in the reign of Edward the Third, where the Prince of Wales, though a minor, was declared Regent in the abſence of his father. With regard to what the Right Hon. Gentleman had ſtated of the quarrel between the Cardinal de Beaufort and the Duke of Glouceſter, was that at all in point to the caſe to which the Right Hon. Gentleman had ſo invidiouſly applied it? What was that charge?—A charge that Cardinal de Beaufort had, in the reign and during the life-time of Henry the Fourth, adviſed the Prince of Wales (afterwards Henry the Fifth) to take upon himſelf the exerciſe of the Sovereign Authority. Was there the ſmalleſt degree of analogy be

tween the illneſs of Henry the Fourth, and the known cauſe of the incapacity of our preſent Sovereign? Henry the Fourth was afflicted with a languor, the natural concomitant of age, and, in his caſe, the conſequence of a fever, and long ſickneſs; but was Henry the Fourth therefore incapacitated from the exerciſe of the Sovereign Authority? By no means; he might not be able to meet his Parliament, but moſt undoubtedly he was not diſabled from executing public buſineſs of any other kind. He was in full poſſeſſion of his mental faculties, could iſſue his orders, and inſtruct his Miniſters, juſt as well as he could do either in the fulleſt vigo[illegible]'s youth. To adviſe the Prince of Wales, therefo[illegible]der ſuch circumſtances, to take upon himſelf the exerciſe of the Sovereign Authority, was to adviſe him to be guilty of High Treaſon, and had the Prince of Wales been ſo adviſed, and followed the advice, he had no ſcruple to ſay, the Prince would have been guilty of High Treaſon, and have ſubjected his life to forfeiture. It was no wonder, therefore, that Cardinal de Beaufort, feeling the weight of ſuch an accuſation, as that urged againſt him by the Duke of Glouceſter, and knowing the ſerious conſequences it led to, ſhould ſuch a charge be proved againſt him, acted wiſely in avowing his innocence, ſtanding upon his defence, and deſiring that the matter might be referred to the Judges, that he might be purged of the guilt imputable to ſo foul an offence.

On the preſent occaſion there had been, he obſerved, two aſſertions of poſitive Right on both ſides the Houſe; on his ſide, the aſſertion of the *Right* of the Prince of Wales, being Heir Apparent, and of full age and capacity to exerciſe the Sovereign Authority during his Majeſty's infirmity; on that of the Right Hon. Gentleman,

tleman, the aſſertion, that the Prince had *no more Right* to exerciſe the Sovereign Authority under ſuch circumſtances, than any other individual ſubject. He did not underſtand the invidious dignity he had been exalted to on this occaſion, nor could he admit what the Hon. and learned Gentleman, who ſpoke laſt, had been pleaſed to lay ſo much ſtreſs upon, that any opinion delivered in that Houſe by ſo humble and inſignificant an individual as himſelf, or by any Member of what rank and degree ſoever, ought to be made the ground of a proceeding of the Houſe. But ſince the Right Hon. Gentleman was determined to make a perſonal Queſtion between them, ſince he condeſcended to conſider himſelf his Rival, and choſe to have recourſe to his majority, why would he not try his opinion, and let the Queſtion be, "That it is the opinion of this Committee, that his Royal Highneſs the Prince of Wales, being Heir Apparent, and of full age and capacity, *has no more Right to exerciſe the Royal Authority, during his Majeſty's Incapacity, than any other individual ſubject.*"

The Right Hon. Gentleman well knew, he dared not venture to ſubject ſuch a queſtion to debate. He well knew, that with all his Majorities, he could not riſque it: he well knew, that if he could have ſo far loſt ſight of prudence as to have hazarded ſuch a queſtion, notwithſtanding his high character, and his known influence within thoſe walls, there would not have been twenty Members, who would have ſupported him in it. In fact, he well knew, that the moment he let ſuch an opinion eſcape his lips, it was execrated by all who heard it, and that it had been ſince execrated, by all who had heard of it, out of doors. What had been the conſequence of this? conſcious of his

error, and conſcious that ſo monſtrous a doctrine as he had ſuffered himſelf, in an evil hour, to deliver, had revolted the public mind, the Right Hon. Gentleman had ſeized on the firſt moment that offered, to qualify what he had ſaid, by unneceſſarily coming forward with a declaration that, though he would not admit the Prince of Wales's *Right* to exerciſe the Sovereign Authority, during the incapacity of his father, yet he confeſſed that on grounds of expediency, and as a matter of diſcretion, the perſon to hold the Regency ought to be the Prince of Wales and no other. This mode of argument, Mr. Fox ſaid, reminded him of what had paſſed in that Houſe about 13 years ago, between an eminent Crown Lawyer, now the firſt Law Character in the kingdom [the Lord Chancellor] and himſelf. At the time to which he referred, the argument had been the Right of this Country to tax America, when he had contended, "that Great Britain had an undoubted Right to tax her American colonies, but that the exerciſe of that Right would be in the higheſt degree unjuſtifiable on the part of Great Britain." In anſwer to this, the great Lawyer, with a quaintneſs peculiar to himſelf had ſaid, "I ſhould be glad to know what that *Right* is, which, when attempted to be exerciſed, becomes a *Wrong*." In the preſent caſe, the Right Hon. Gentleman had acted upon the converſe of the great Lawyer's maxim, he had pronounced the *Right* a *Wrong*, and having done ſo, he had immediately proceeded to exerciſe it in the moſt effectual manner. In one point of view, and in one point of view only, could he imagine the exiſtence of a *Right*, which when exerciſed might become a *Wrong*, and that was this: The three Branches of the Legiſlature, conſiſting of King, Lords, and Commons, had a Right to authorize and

act a *moral evil*. They might ſet aſide the ſucceſſion, and deprive the Prince of Wales of his Hereditary Right to ſucceed his preſent Majeſty, but this enormity could not of Right be practiſed by the two Houſes of Parliament, independent of the conſent of the Sovereign, any more than the Miniſter could ſet himſelf up in competition with the Prince of Wales, and conteſt with him as a claimant for the Regency. He repeated his opinion, that a Right attached to the Prince of Wales, as Heir Apparent, to exerciſe the Sovereign Authority, upon the King's incapacity being declared by the two Houſes of Parliament; the Prince's Right, however, being all along conſidered as ſubject to the adjudication of both Houſes of Lords and Commons. This opinion he had not changed, nor did he feel the ſmalleſt diſpoſition to change it; and indeed the Hon. and learned Gentleman, who ſpoke laſt, ſeemed to be ſo much of his opinion, that he had, if he underſtood him rightly, expreſsly declared, that in caſe of the demiſe of the Crown, nothing ſhort of an Act of Excluſion could prevent the Prince from ſucceeding to the Throne, and that even nothing ſhort of ſuch conduct as would deſervedly warrant an Act of Excluſion, ought to ſet a Prince of Wales, of full age, and full capacity, aſide from the Regency. The counter opinion to his was fraught with ſo many, and ſuch enormous evils, that he was perſuaded, no moderate man, who conſidered the ſubject with the degree of attention that it moſt undoubtedly merited, would for a moment maintain it, either on the ground of right, of diſcretion, or of expediency. Whatever his opinion was, why ſhould that right be diſcuſſed, which had been neither claimed, nor was intended to be claimed? That this was the preciſe ſtate of the fact, was not to be doubted,

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ſince the declaration that had been ſo graciouſly communicated from the higheſt authority in another place. Of the manner in which that communication had been made, and the commendation that was due to the exalted perſonage who made it, he would not ſay one word, becauſe he would not run the riſque of having what was due to merit, miſtaken for fulſome adulation, and ſervile flattery. But the claim thus diſavowed, how muſt the preamble of a Bill run, truly to deſcribe the caſe as it ſtood at preſent. "Whereas his Royal "Highneſs the Prince of Wales, never having claim-"ed a Right to the Regency, it becomes neceſſary for "the Lords Spiritual and Temporal, and for the Com-"mons of England to declare, that his Royal High-"neſs has no right, and we therefore do hereby de-"clare his Royal Highneſs Sole Regent of theſe king-"doms." Mr. Fox reaſoned on the abſurdity of a Bill ſo worded, and contended, that it muſt be ſo worded, unleſs they falſified the fact, and made a courſe of law a ground work of the Bill. He obſerved, that all this difficulty and embarraſſment was created, when there was not the ſmalleſt occaſion for it, ſince it was the concurrent opinion of all mankind, that the Prince of Wales ſhould be the Regent; why then would the Right Hon. Gentleman thus agitate the matter unleſs it were for the little purpoſe of perſonal triumph? He condemned the boaſting language that had been held on this occaſion of gratitude to the Sovereign, and the ſtrong aſſertions that had been made, that ſuch gratitude ſhould be exemplified by the conduct of thoſe, who confeſſed themſelves under perſonal obligations to the Sovereign. Perſonal attachment, he contended, was no fit ground for public conduct, and thoſe who had declared they would take care of the

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rights of the Sovereign, becauſe they had received favours at his hands, betrayed a little mind, and warranted a concluſion, that if they had not received thoſe favours, they would have been leſs mindful of their duty, and have acted with leſs zeal for his intereſt, than if they had not been indebted to him for any favours. He owned himſelf indebted to the Heir Apparent for having been for ſeveral years favoured with his confidence, but neither that flattering mark of diſtinction had not been made the ſubject of his ſpeeches in that Houſe, nor had he ever conſidered it as a proper motive for his public conduct. Neither on the preſent occaſion, nor at any time, if he thought the objects of his Royal Highneſs incompatible with the public intereſts, ſhould he think he paid a compliment to the Prince, any more than he ſhould think he acted conſiſtently with what was due to his own character, in ſuffering the conſideration of the terms on which he lived with his Royal Highneſs, to bias him in the ſmalleſt degree, or induce him to act contrary to what he, in his conſcience, thought moſt likely to promote the welfare of the public. Whereas the Right Hon. Gentleman appeared to act upon a very oppoſite principle, and repeatedly introduced the name of the Sovereign, though ſeldom for any other purpoſe, than an oſtentatious diſplay of the confidence repoſed in himſelf.

To the Houſe of Brunſwick this country ſtood in an eminent degree indebted; indeed, few Princes ever deſerved the love of their ſubjects more than the Princes of that Houſe. Since their acceſſion to the Throne, their Government had been ſuch as to render it highly improbable that there ſhould ever be ground for an Act of Excluſion to paſs to ſet aſide one of their Heirs from the ſucceſſion, or that ſuch a circumſtance

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ſhould ever become a neceſſary ſubject of contemplation. If the Princes of the Houſe of Brunſwick had at any time differed with their ſubjects, it had been only on collateral points, which had been eaſily adjuſted in Parliament. No one of the Princes of that Houſe had ever made any attempt againſt the conſtitution of the country, although had ſuch a miſchievous deſign been meditated, there had at moſt times been a party exiſting that would have been ready to abet them in any ſcheme the blackeſt and moſt fatal that ever tyrant deviſed againſt the liberties or the happineſs of his ſubjects. The love, therefore, of the people was due to the illuſtrious family on the Throne, in ſo peculiar and eminent a degree, that every thing that looked as if it could at any diſtance endanger the hereditary Right of the Houſe of Brunſwick to the ſucceſſion, ought to be guarded againſt with peculiar jealouſy and peculiar caution. Excluſive of the concurrence of the public voice, not only the ſpirit of the conſtitution pointed out the Heir Apparent as the fitteſt perſon to be Regent, but the Act of Settlement might be defeated if his Royal Highneſs were paſſed by, and the doctrine of the Right Hon. Gentleman carried into effect. In adhering to the principles of the Act of Settlement, there could be no ill; if, as the Hon. and learned Gentleman had ſaid, there ſhould be a Prince of Wales, whoſe political principles were ſo depraved, that in oppoſition to his own natural intereſts, he ſhould have followed the example of Charles the Firſt, and James the Second, either in the one inſtance indicating a determination to become a Tyrant, and deſtroy the liberties of his ſubjects, by ſubverting the Conſtitution, or in the other, ſhould ſo connect himſelf with France, and the political enemies of his country, that every

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thing fatal was to be dreaded from his Government, ſuch a Prince of Wales ought to be excluded from the Regency, in like manner as he undoubtedly would be excluded from the Throne, on the natural demiſe of his father, or predeceſſor. But then the Bill of Excluſion to paſs in ſuch caſe, muſt be the work of the Legiſlature complete, and not the Act of two branches of the Legiſlature only. Let the Committee conſider the danger of making any other perſon Regent beſides the Prince of Wales! If the two Houſes could *chooſe* a Regent, they might chooſe whom they pleaſed; they might chooſe a Foreigner, a Catholic (for the law defines not the Regent) who, while he held the power of the Third Eſtate, might prevail on the other two Branches of the Legiſlature to concur with him, alter or ſet aſide the ſucceſſion, and turn away the Houſe of Brunſwick, and put them in the ſituation of the Houſe of Stuart. He ſaw this doctrine was deemed extravagant, but he meant to put an extravagant caſe; he had not, however, put an impoſſible one; let them turn to the favourite period of our hiſtory, favourite at leaſt with the other ſide of the Houſe that day, the reign of Henry VI. and they would find that Richard, Duke of York, took advantage of his power as Protector of the kingdom, actually diſinherited the Prince of Wales, and the whole line of Lancaſter, though they were more nearly allied, and had much better pretenſions to the Crown than the Houſe of York. The ſame diſmal ſcene that had diſgraced our annals at that period might be acted over again, if the two Houſes of Parliament ever concurred to ſubvert the Conſtitution, by aſſuming to themſelves the exerciſe of the Royal Prerogative, and arrogating the right to legiſlate and make law in the teeth of the ſtatute of

the 13th of Charles the Second, which he had on a former day had occaſion to mention, and which not only declared, that the two houſes of Parliament could not make laws without the conſent and concurrence of the King, but alſo declared, that whoever ſhould preſume to affirm the contrary, ſhould be guilty of High Treaſon, and incur the pains and penalties of a *premunire*. To make a law for the appointment of a Regent, he conſidered, ſo far as it went, as a converſion of the ſucceſſion to the Monarchy from hereditary to elective, and what ſort of a Conſtitution that was, which had an elective Monarchy, Poland, and the miſerable condition of its ſubjects, ſufficiently evinced. The right to make Laws, reſted only in the Legiſlature compleat, and not in the concurrence of any two Branches of it. Upon that very principle was our Conſtitution built, and on the preſervation of it, did its exiſtence depend. Were the caſe otherwiſe, the Conſtitution might be eaſily deſtroyed, becauſe if the two Branches could aſſume the power to make Law, they might in that Law, change the genius of the third Eſtate. The preſent ſituation of affairs had, he ſaid, been compared to the Revolution, but, in fact, it was no ways ſimilar. The Throne had then been declared *vacant*, and the reſt of the Conſtitution remained; now the Throne was declared *full*, but its authority was ſuſpended. At the period of the Revolution, the Convention that was then aſſembled, conſcious that they could not make any change in the genius of the Monarchy until they had a head, firſt reſtored the third Eſtate and then defined its power. Whereas the Committee were called on to proceed in a different way, firſt to new-caſt the Office, and then to declare the Officer. He aſked what muſt be the ſituation of a Regent elected by that

Houſe? He muſt be a pageant, a puppet, a creature of their own, *ſine pondere corpus*, an inſult and a mockery-inſult on every maxim of Government! He defined the nature and character of the three Eſtates. The Conſtitution ſuppoſed each of its three branches to be independent of the other two, and actually hoſtile, and if that principle was once given up, there was an end to our political freedom. Suppoſe that the Crown and Houſe of Lords could make laws without the concurrence of the Houſe of Commons, or the Crown and the Commons independent of the Lords, or the two Houſes of Parliament without the Crown; in either caſe, the Conſtitution was gone. The ſafety of the whole depended on the jealouſy of each of the other; not on the patriotiſm of any one Branch of the Legiſlature, but rather on the ſeparate intereſts of the three, concurring through different views to one general good, the benefit of the community. A principle congenial to human nature, prone to the extenſion of power, and to the depreſſion of a rival. All theſe principles and arrangements would be deſtroyed by the preſent project, which would radically alter the Government, and of conſequence overturn the Conſtitution. He explained the particular powers of the Crown to defend itſelf againſt any encroachment on the part of the Commons, or to reſiſt any faction in the Houſe of Lords. In the one caſe, by a Diſſolution, the King might repel the attempt on his prerogative, and by an encreaſe of the Peerage, he might quell the other.

He argued alſo on the power of giving either an *aſſent* or *diſſent* from any Bill, a power which operated equally againſt the ſingle deſign of one, or the confederate union of both Houſes, to trench on the conſtitutional rights of the Crown, and pointed out the diſadvantage

of ſubjecting the Sovereign to ſuch difficulties as it would be liable to encounter, were the power of diſſolution, encreaſe of Peerage, and right of giving the aſſent or diſſent to Bills taken away. If there was to be a Monarch, he concluded that the Monarchical Power ought to be entire, declaring that the name and rank of a King, without the poſſeſſion of regal powers, was a being that did not come within the reach of his conception. If it appeared to the Houſe that the Royal Prerogative ought to be circumſcribed, let them inveſt a proper perſon with it, and then openly and manfully contend for the circumſcription or diminution of its powers; but to aim at an adverſary incapable of reſiſtance, was neither brave nor noble. He pointed out the danger of making the Regency elective, and of the two Houſes ſetting aſide the hereditary right to it, inſiſting that the poſſeſſion of the Crown, and of the executive authority, muſt, in the nature of things, be governed by the ſame principles. In order to illuſtrate this, he put the caſe of a Polander aſking an Engliſhman whether the monarchy of Great-Britain was *hereditary* or *elective?* Any man familiar with the theory of the Conſtitution would naturally think, that the ready anſwer would be, that it was hereditary. But if the doctrine of that day prevailed, the anſwer muſt be, "I cannot tell; *aſk his Majeſty's Phyſicians.* When the King of England is in good health, the monarchy is *hereditary*; but when he is ill, and incapable of exerciſing the Sovereign Authority, it is *elective.*" The aſſertion that the Britiſh monarchy was elective, was, however, ſo palpably hoſtile to the principles of the Conſtitution, that it would not be tolerated for a moment. How then was the difficulty to be ſurmounted? A ſubtile and politic lawyer might be found,

found, who would plauſibly advance, that though it muſt be allowed that the Monarchy was hereditary, the Executive Power might be elective. Thus the Crown and its functions might be ſeparated, as if they were in their nature diſtinct, whereas the one was the eſſence, and the other the name. He purſued his argument in an hypothetical dialogue between the Engliſhman and the Pole, with the occaſional aid of the politic Lawyer, to reconcile contradictions, and explain apparent impoſſibilities, very forcibly holding up to ridicule the argument of the gentlemen of the long robe, that the political, as well as the natural capacity of the King, remained whole and entire, although he was declared incapable of exerciſing his regal functions. If the Crown was to have no functions, why there ſhould be a King, was beyond his imagination to diſcover. The legal metaphyſics which diſtinguiſhed between the Crown and its functions, were to him unintelligible; they ſhould be *Schoolmen* and not *Stateſmen*, fitter for Colleges of Diſputation, than a Britiſh Houſe of Commons, if a Queſtion that ſo deeply involved the exiſtence of the Conſtitution were to be thus diſcuſſed. He aſked, where was that famous *dictum* to be found, that declared the Crown to be guarded by ſuch ſanctity, and left its powers at the mercy of every aſſailant.

After expoſing what he termed the abſurdity of legal metaphyſics, and calling upon the Gownſmen to ſhew him the *dictum* that ſupported the oppoſite aſſertion, viz. that the Prince of Wales had no more right to exerciſe the Sovereign Authority, during his Majeſty's incapacity, than any other individual ſubject, Mr. Fox proceeded to notice that part of the argument advanced againſt him, that he had deſerted the cauſe which he had

had hitherto been ſuppoſed to claim the peculiar merit of ſtanding forth on all occaſions to defend, viz. the privileges of the Houſe of Commons, againſt the encroachments of the Prerogatives of the Crown. He ſaid, his own reſiſtance of the latter, when it had been thought encreaſing unconſtitutionally, were well known; the influence of the crown had been more than once checked in that Houſe, and he really believed to the advantage of the people. Whenever the executive authority was urged beyond its reaſonable extent, it ought to be reſiſted, and he carried his ideas on that head ſo far, that he had not ſcrupled to declare, that the ſupplies ought to be ſtopped, if the Royal Aſſent were refuſed to a conſtitutional curtailment of any obnoxious and dangerous prerogative. Moderate men, he was aware, thought this a violent doctrine; but he had uniformly maintained it, and the public had derived advantage from its having been carried into effect. He deſired to aſk, however, if this were an occaſion for exerciſing the conſtitutional power of reſiſting the prerogative or the influence of the Crown in that Houſe? He had ever made it his pride to combat with the Crown in the plenitude of its power, and the fullneſs of its authority; he wiſhed not to trample on its rights, while it lay extended at their feet, deprived of its functions and incapable of reſiſtance. Let the Right Hon. Gentleman pride himſelf on a victory obtained againſt a defenceleſs foe, let him boaſt of a triumph where no battle had been fought, where no glory could be obtained. Let him take advantage of the calamities of human nature, let him, like an unfeeling Lord of the Manor, riot in the riches to be acquired by plundering ſhipwrecks, by rigorouſly aſſerting a right to the waifs, eſtrays, deodands, and all the accumulated

produce

produce of the various accidents that misfortune could throw into his power. Let it not be his boaſt to have gained ſuch victories, obtained ſuch triumphs, or advantaged himſelf of wealth ſo acquired.

After putting this, Mr. Fox recurred to the main argument, and declared, that all the labour of the Committee appointed to ſearch for Precedents had been fruitleſs, for that not one of the Precedents applied. If they tended to prove any thing, it was to eſtabliſh the Prince's Right, ſince in all of them the neareſt relative to the Crown, if in the kingdom, had been appointed the Regent, eſpecially a Prince of Wales. In the reign of Edward the Third, his ſon, commonly called the Black Prince, was declared Regent at only thirteen years of age, during the invaſion of France by his father; and afterwards, during the abſence of Edward and the Prince, his brother, Lionel Duke of Clarence, was appointed. The Regencies in the reign of Henry the Sixth, proved the Right of the Prince of Wales the more fully, becauſe in that reign the Right of the Prince of Wales was recognized, (although he was not a year old) in the very Patent that appointed the Duke of York Protector.

Mr. Fox took notice of the remark made by an Hon. Gentleman in his ſpeech, (Mr. Baſtard,) that the Right Hon. Gentleman oppoſite him ſtood higher in the opinion of the public at preſent, than he did. He ſaid, before any Gentleman took upon himſelf to pronounce on ſuch topics, he ought to be ſure he was right in his aſſertion. He had every reaſon to believe the Hon. Gentleman was miſtaken in what he had ſaid, having lately had an opportunity of meeting his conſtituents, and having then received the moſt unequivocal and flattering proofs of their confidence and kindneſs. He agreed,

agreed, however, moſt cordially with that Hon. Gentleman, in every obſervation that he had made of the probable effects of the preſent motion, if perſiſted in, with regard to Ireland, and the creation of a difference between the two Houſes of Parliament. With reſpect to Ireland, he ſaid, if the two Houſes of the Britiſh Parliament named the Prince of Wales as Regent of Right, moſt probably the Parliament of Ireland would do the ſame: if they ſpeculated, the Iriſh Parliament would ſpeculate. Decide wiſely, and their deciſion would be held an example. Set the Queſtion of Right afloat, and it was impoſſible to ſay to what extent it might be carried. He once more queſtioned the neceſſity for the preſent proceeding, and urged the fallacy of pretending that the opinion *he*, a private Member of that Houſe, had delivered, and the opinion a noble and learned friend of his had delivered elſewhere, made it neceſſary. He reprobated the indecency of ſelecting the arguments of his noble and learned friend, and falſely applying them, merely for the purpoſe of placing them in a ridiculous point of view. The Right Hon. Gentleman muſt have known, that the arguments of his noble and learned friend, were arguments merely advanced to prove that the Prince of Wales, as Prince of Wales and Heir Apparent, had Rights peculiar and diſtinct from thoſe of ordinary ſubjects, and not with a view to prove his Right to exerciſe the Sovereign Authority. The manner, therefore, in which the Right Hon. Gentleman had anſwered thoſe arguments, betrayed a narrowneſs of mind that he had not imagined the Right Hon. Gentleman would have condeſcended to have acknowledged. Having diſmiſſed this part of the ſubject, Mr. Fox deſired to know the uſe of bringing forward a Queſ-

a Queſtion of Right, when the expediency of conſtituting the Prince of Wales Regent was on all hands agreed on. He charged the Chancellor of the Exchequer with a determination to legiſlate, without the power to do ſo effectually, which would alter the genius of the Third Eſtate, without any crime alledged againſt either the Sovereign, declared for the preſent incapable to exerciſe the Royal Authority, or the intended Regent. He ſaid, if they could make whom they pleaſed Regent, they could appoint the Regent for a day, a month, or a year, turning the monarchy into a republic, as had been the caſe with Rome. And while the Right Hon. Gentleman denied that the Prince of Wales had any more right than he had, he confeſſed it would be a breach of duty to think of any other Regent, and all this for the paltry triumph of a vote over him, and to inſult a Prince, whoſe favour he was conſcious *he had not deſerved*. Mr. Fox declared, he was ready to admit that the Right Hon. Gentleman's adminiſtration had been in ſome reſpects entitled to praiſe: he was ready to ſay what were the parts that moſt deſerved commendation, and as willing to give them his applauſe as any man could be. What he alluded to, were the meaſures adopted to detach Holland from its connexion with France. The whole conduct of that tranſaction, as well as its iſſue, was wiſe and vigorous, laudable and effectual, and he was happy to take that opportunity of delivering his ſentiments upon it. Of other meaſures of the preſent adminiſtration, he certainly entertained a very different opinion. The Right Hon. Gentleman, however, appeared to have been ſo long in the poſſeſſion of power, that he could not endure to part with it; he had experienced the full favour of the Crown, and had the advantage of exert-

ing all its prerogatives, and finding the operation of the whole not too much for the ſucceſsful carrying on of the Government, he had determined to cripple his ſucceſſors, and deprive them of the ſame advantages that he had enjoyed, and thus circumſcribe their power to ſerve their country, as if he dreaded that they would ſhade his fame. Let the Right Hon. Gentleman for a moment ſuppoſe, that the buſineſs of detaching Holland from France, or any contingency of equal importance, remained to be executed; he muſt know there would be no power in the country to ſeize the advantage, if the Right Hon. Gentleman's principles were right. Mr. Fox called upon every honeſt Member of that Houſe, not to vote without perfectly underſtanding what the Queſtion went to, as well as the other Reſolutions. With regard to the Right Hon. Gentleman's motives, he knew not what they were; but if there was an ambitious man in that Houſe, who deſigned to drive the empire into confuſion, his conduct, he conceived, would have been exactly that which the Right Hon. Gentleman had purſued.

The *Chancellor of the Exchequer* ſaid, in reply to Mr. Fox's ſpeech, that the Right Hon. Gentleman had thought proper, particularly in the latter part of his ſpeech, to digreſs from the queſtion before the Houſe, the Queſtion of *Right*, in order to enter into the Queſtion of *Expediency*, and that not ſo much for the purpoſe even of diſcuſſing that expediency, as to take an opportunity of introducing an attack of a perſonal nature on him. The Houſe would recollect, whether the manner in which he (Mr. Pitt) had opened the debate, either provoked or juſtified this animoſity. The attack which the Right Hon. Gentleman had juſt now made, he declared to be *unfounded*, *arrogant*, and *preſumptuous*.

ſumptuous. The Hon. Gentleman had charged him as acting from a miſchievous ſpirit of ambition, unable to bear the idea of parting with power, which he had ſo long retained; but not expecting the favour of the Prince, which he was conſcious he had not deſerved, and therefore diſpoſed to envy and obſtruct the credit of thoſe who were to be his ſucceſſors. Whether to *him* belonged that character of miſchievous ambition, which would ſacrifice the principles of the conſtitution to a deſire of power, he muſt leave to the Houſe and the country to determine. They would alſo judge, whether in the whole of his conduct, during this unfortunate criſis, any conſideration which affected his own perſonal ſituation, or any management for the ſake of preſerving power, appeared to have had the chief ſhare in deciding the meaſures he had propoſed. As to his being conſcious that he did not *deſerve* the favour of the Prince, he could only ſay, that he knew but one way in which he or any man could deſerve it; by having uniformly endeavoured, in a public ſituation, to do his duty to the King his father, and to the country at large. That if, in thus endeavouring to deſerve the confidence of the Prince, it ſhould appear that he in fact had loſt it, however painful and mortifying that circumſtance might be to him, and from whatever cauſe it might proceed, he might indeed regret it, but he would boldly ſay, that it was impoſſible he ſhould ever repent of it. Mr. Pitt then proceeded to remark on the Right Hon. Gentleman having announced himſelf and his friends to be the ſucceſſors of the preſent adminiſtration. He did not know on what authority the Hon. Gentleman made this declaration; but he thought, with a view to thoſe queſtions of Expediency which the Hon. Gentleman had introduced,

both the Houſe and the country were obliged to him, for this ſeaſonable warning of what they would have to expect. The nation had already had experience of that Hon. Gentleman and his principles. Without meaning to uſe terms of reproach, or to enter into any imputation on his motives, it could not be denied that they had openly and profeſſedly acted on the ground of availing themſelves of the ſtrength of a party, to *nominate* the Miniſters of the Crown. That they maintained it as a fundamental principle, that a Miniſter ought at all times ſo to be nominated. He would therefore ſpeak plainly. If perſons, who profeſſed theſe principles, were in reality likely to be *the adviſers of the Prince* in the exerciſe of thoſe powers which were neceſſary to be given during the preſent unfortunate interval, it was the ſtrongeſt *additional* reaſon, if any were wanting, for being careful to conſider what the extent of thoſe powers ought to be. That it was impoſſible not to ſuppoſe, that, by ſuch adviſers, thoſe powers would be perverted to a purpoſe, which it was indeed impoſſible to imagine that the Prince of Wales could, if he was aware of it, ever endure for a moment, but to which, by artifice and miſrepreſentation, he would unintentionally be made acceſſary, for the purpoſe of creating a permanent weight and influence in the hands of a party, which would be dangerous to the juſt rights of the Crown, when the moment ſhould arrive (ſo much wiſhed, and perhaps ſo ſoon to be expected) of his Majeſty being able to reſume the exerciſe of his own authority. The notice, therefore, which the Hon. Gentleman, in his triumph, had condeſcended to give to the Houſe, furniſhed the moſt irreſiſtible reaſon for them deliberately to conſider, leſt, in providing for the means of carrying on the Adminiſtration

during a ſhort and temporary interval, they might ſacrifice the permanent intereſt of the country in future, by laying the foundation of ſuch meaſures as might for ever afterwards, during the continuance of his Majeſty's reign, obſtruct the juſt and ſalutary exerciſe of the conſtitutional powers of Government in the hands of its Rightful Poſſeſſor, the Sovereign, whom they all revered and *loved*.

The Chancellor of the Exchequer then proceeded to ſtate what appeared to be the reſult of the debate. The noble Lord in the blue ribband, he ſaid, as moſt Gentlemen who had ſpoken on that ſide of the Houſe, had argued not againſt the truth of the Reſolutions, but the propriety of coming to them, and had waved any diſpute on the Queſtion of Right. The Right Hon. Gentleman, though he affected alſo to object to the propriety of coming to this Reſolution, had directed his whole argument (as far as it went) to combat the truth of the Propoſition, and to maintain his former aſſertion in favour of the exiſting Right of the Prince of Wales. That this line of argument, ſupported by ſuch authority, was itſelf an anſwer to thoſe who doubted the propriety of any Reſolution. —With regard to the particulars of Mr. Fox's argument, he obſerved on the manner in which he (Mr. Fox) ſuppoſed him to have declined maintaining his former aſſertion, "That the Prince of Wales had no more right to the Regency, than any other ſubject in the country," and had added, that he did ſo from believing that not twenty perſons would join in ſupporting that Propoſition. The Chancellor of the Exchequer ſaid, that he did not retract *one word* of that aſſertion. Gentlemen might quarrel with the phraſe, if they thought proper, and might miſrepreſent it as the

the Hon. Gentleman had done, in order to cover the arguments uſed by a noble Lord in another place. But he was in the recollection of the Houſe, whether when he firſt uſed the expreſſion, he had not guarded it, as meaning to ſpeak *ſtrictly of a Claim of Right*, not of any reaſons of preference on the ground of diſcretion or expediency. He was alſo in their recollection, whether the Right he ſpoke of, was any other than the *ſpecific Right in queſtion*, namely, *the Right to exerciſe the Royal Authority under the preſent Circumſtances*. He had maintained that the Prince *had no ſuch Right*. If the Prince had not the Right at all, he could not be ſaid to have any more Right than any other ſubject in the country. But was it any anſwer to the aſſertion, that *as Prince of Wales he had no Right to the Regency*, to ſay that he had other rights different from the reſt of the King's ſubjects, but which had nothing to do with the Regency? Yet all the Rights of the Prince of Wales, which had been mentioned by the Noble Lord alluded to, were of this deſcription. It would be juſt as reaſonable if the queſtion were, whether any perſon had a right to a particular eſtate in Kent or Surry? to argue, Yes he has, for he has ſuch and ſuch an eſtate in Yorkſhire and in Cornwall. With regard to the queſtion, whether twenty perſons did or did not agree in his denial of the Right of the Prince of Wales, he would put the whole on that iſſue, that if the Prince of Wales had any ſuch Right, the Reſolution he had moved could not be true; and he conſidered every perſon who differed from his aſſertion on that ſubject, as bound to vote againſt the preſent Motion. He then obſerved, that Mr. Fox, in diſcuſſing the Queſtion of Right, had gone on to obſerve, that the Right of the two Houſes, and the Right of the Prince of Wales,

were

were to be considered as two *rival Rights*, and that the only question was, in favour of which the arguments preponderated. The Chancellor of the Exchequer observed, that he should be perfectly ready to meet the question on this issue, if it were the true one, for that the Right of the two Houses was clearly supported by precedent and usage in every similar case, by express declarations of Parliament, and by positive authority of law; but the Right of the Prince of Wales was not even attempted to be supported on any of those grounds, but on pretended reasons of expediency, founded on imaginary and extravagant cases. That, however, in fact, this was not the fair issue of the argument. The Right of the Prince of Wales was not to be considered as a rival Right, to be argued on the same grounds as the other. It was a Right which could not exist unless it was capable of being *expressly* and *positively* proved; whereas the Right of Parliament was that which existed of *course*, unless some other Right could be proved to exclude it. It was that, which, on the principle of this free constitution, must always exist in every case where no positive provision had been made by law, and where the necessity of the case, and the safety of the country called for their interposition. That the *absence* of any other Right was in itself enough to constitute the Right of the two Houses, and that the bare admission that the Right of the Prince of Wales was not clearly and expressly proved, was in fact an admission of every thing then in debate.

Mr. *Fox* rose again, to deny that he had *insinuated* that he was to have a share in the new government. As there were appearances of a probable change of men and measures, there was, he admitted, a *probability* of his having a share in the executive government

ment of the country; but he had never taken upon him to affirm it as a positive fact. He might, however, venture an assertion, that if the Right Hon. Gentleman was not certain of a change, if he had been assured of the contrary, there would have been *no limitation* to the power of the Regent. He cautioned the House against a misrepresentation of the question. He said, that they were going to be *entrapped* into a *decision* of an *abstract nature*, which might afterwards prove dangerous to the Constitution.

The *Lord Advocate of Scotland* said, that he did not see how the general Question of Right could be waved, unless both Houses were ready to declare, that the Prince of Wales should not only be Regent, but invested with all the Royal Powers, without limitation or distinction; for if a limitation of any kind was to be the subject of debate, it did not seem possible to avoid a previous discussion of the Right. As to the question itself, he hoped it would be considered, that they were not met to deliberate upon a settlement of the kingdom of England alone; he thought it necessary to enquire into the constitution of England and of Scotland separately before the Union, and of Great Britain since. He had heard it very confidently affirmed, that were the supposed inherent Right of the Heir Apparent, to exercise the Royal Powers upon such occasions as the present, to be disallowed, the consequence would be, a virtual dissolution of the Union, the rule being fixed in Scotland in favour of such hereditary and legal Claim of Right: but he would take the liberty of asserting, with equal confidence, that the proposition had no real foundation. It was true, that by the law of that country, the Right of *private* guardianship did in certain circumstances attach upon the nearest male kinsman

kinſman by the father's ſide, aged 25: and in the earlier periods of the Scottiſh monarchy, little diſtinction ſeemed to be made between the ſituation of a private guardian, and that of the perſon who acted for the King in his nonage, inſomuch that ſome law authorities of great reſpectability had laid it down, that the powers of a Regent were merely *tutorial*, and it had been determined by the Parliament of Scotland, in the reign of James I. that the Duke of Albany, when Regent, could neither reſtore a perſon forfeited for treaſon, nor grant lands which had fallen to the Crown by baſtardy. It was well known, that the powers of a private guardian were of the moſt confined nature, as going no further than the exigency of the caſe required, and merely for the purpoſe of ordinary management; but he thought it wrong to compare that caſe with the government of a kingdom, where powers of a very different nature were neceſſary to be given.

As to the appointment of a Regent, whatever his powers might be, the ſame had always been made in Scotland, as in England, under the ſanction and authority of the States of the kingdom, either previouſly given, or afterwards interpoſed, and ſometimes the next heir of the Crown had been choſen, ſometimes not, ſometimes one Regent, at other times more than one. Many of the kings of Scotland having fallen in battle, and ſome by the hands of their ſubjects, when the power of the ariſtocracy was too great; there had been more infant ſucceſſors, and more regencies in Scotland, than in moſt other countries; and the States of the kingdom had repeatedly ſhewn, that they did not conſider any individual whatever as having a fixed legal right to that office. When the Maid of Norway ſuc-

ceeded her grandfather Alexander the Third ſix regents were appointed. In the infancy of James II. of Scotland, there was a regency of three. In that of James III. a regency of ſeven. In that of James VI. the Duke of Chatelrault, next preſumptive heir of the Crown, claimed the office upon that ground; but his claim was diſallowed, and firſt the Earl of Murray was appointed, afterwards others, none of whom were in the ſucceſſion to the crown. It was of more conſequence, however, to conſider how that matter had been underſtood by the Legiſlature of Great-Britain ſince the Union; and ſurely it was impoſſible to read the Proviſional Acts of 24 Geo. II. and 5 Geo. III. without ſeeing clearly that no *Right* of Adminiſtration was then ſuppoſed to attach upon any individual. As to the idea of a *civil demiſe*, it was totally inapplicable to ſuch a caſe as the preſent. A perſon was held to be civilly dead, when he had loſt the rights of a citizen, as in the caſe of attainder; but was it ever thought that an *infant* was civilly dead? It would be a little hard, when he was but juſt born. An infant could hold property, could acquire, and had every civil right entire. A perſon incapable, from infirmity, to manage his own affairs, was exactly in the ſame ſtate; he could not therefore have a ſucceſſor while he was alive, and in the full poſſeſſion of his rights. In a word, the Lord Advocate contended, that neither the Prince of Wales, nor any other individual, had a legal right on this caſe to be Regent, though, in point of fitneſs and propriety, he ſuppoſed not a man in the kingdom would think of any other than his Royal Highneſs.

Mr. *Milnes* (Member for York) in a ſhort but animated ſpeech, reprobated the conduct of Mr. Fox and his

his friends, declaring, that it amounted to an abandonment of thoſe conſtitutional principles hitherto the theme of univerſal admiration, by ſacrificing the rights of the two Houſes of Parliament to the claims of an individual. From the ſort of argument that they had adopted and maintained on this great and truly important occaſion, therefore, if they did ſoon come into power, as the Right Hon. Gentleman had that day given the Committee to expect, inſtead of a Whig Adminiſtration and a mild Government, which it had been their practice to hold out as what would be their true character and conduct when in office, the country had every reaſon to dread the moſt arbitrary and oppreſſive ſyſtem of meaſures that had ever diſgraced Miniſters, and harraſſed the Subject in the worſt periods of our hiſtory.

The *Soliciter General* roſe. He ſaid, no man could vote on the preſent queſtion, without conſidering his allegiance to the Sovereign. We all agree, ſaid Sir John Scott, that his Royal Highneſs ſhould be Regent, but differ in opinion about the Right requiſite. He corroborated Mr. Pitt's argument, by affirming, that with regard to his Royal Highneſs's right, it was no more than that of any other individual—That it was a gift of expediency granted to him by Parliament—That as we had at preſent a King, although unfortunately incapable of exerciſing the royal authority, the Prince himſelf was only a ſubject—That His Majeſty's indiſpoſition was of a temporary nature, which, perhaps, would no longer preclude him from exerciſing his authority, than a fever might preclude the Succeſſor, about whoſe rights they were then contending. [Here he was called to order]. The King, who acceded to

the throne in 1761, is ſtill on the throne in this year 1788; therefore a law in any Court, acknowledging his ſupremacy, although Gentlemen might call ſuch a mode of reaſoning metaphyſical, entailed on tranſgreſſors at preſent the effects and penalties of that law. With regard to what had been advanced by the Right Hon. Gentleman, that the Phyſicians had declared his Majeſty incapable, he thought the argument abſurd, as in the *eye* of the *law*, we cannot believe the King's Phyſicians. It was his opinion that the Prince of Wales ſhould be fully inveſted with every authority requiſite for managing the public buſineſs with energy and effect; but recollecting that there was ſtill a King, he thought that the powers of the Regent ought to be circumſcribed.

Mr. *Drake* ſaid, he roſe to expreſs his opinion on a ſubject that had long agitated his mind. If by laying down his life *to-night*, he could ſerve his country, he was ready to do it. It had been long his glory and his pride to ſupport the meaſures in general of the Right Hon. and magnanimous Gentleman who propoſed the Reſolution, and he dreaded no political event ſo much as the change of the preſent Adminiſtration. The topic of debate, he ſaid, might be compreſſed into a nut-ſhell. He was afraid he was now on the awkward ſide of the queſtion, but thought the Reſolution proper, as an ultimate deciſion of the claim of right.

Sir *William Moleſworth*, Mr. *Lowther*, and General *Norton* ſaid a few words each.

At length the ſtrangers were deſired to withdraw, and the Committee divided.

The

The previous queſtion was then put "for the Chairman's leaving the Chair;" when the numbers were

Ayes	—	—	204
Noes	—	—	268
Majority for the MINISTER	—		64

Mr. Pitt's Propoſitions were afterwards put, and agreed to.

The following Speech was intended to have been delivered by an Honourable Member, had an opportunity offered for that Purpoſe.

MR. WATSON,

I have liſtened with the moſt profound attention to every thing which has fallen from both ſides of the Houſe during the diſcuſſion of this very important queſtion—and I wiſh, in common with the gentlemen who have gone before me, to ſtate upon what ground I give my vote this night, for the Reſolutions moved by the Right Hon. Gentleman.

Allow me, Sir, to ſay, that though I have heard much ingenuity from gentlemen on the other ſide, yet not one ſingle argument has been urged which makes the ſmalleſt impreſſion on my mind. Indeed the juſtice of the Reſolutions has been leſs combated than the expediency of them—but unleſs there is a twiſt in my underſtanding, both the juſtice and expediency of the Reſolutions are equally apparent. Mark how a plain tale will prove the truth of my aſſertion.

The Right Hon. Gentleman (Mr. Fox) in the cleareſt, the moſt unequivocal language, ſtated on Wed-

Wednesday the Right of the Prince of Wales to be Regent, as soon as the temporary incapacity of the King was declared. I thought, and many gentlemen thought with me, that this assertion was made in the strongest terms that could be used. It was, I grant you, Sir, the assertion of an individual; but I appeal to gentlemen on all sides, and let them acknowledge the fact, or deny it if unfounded, that the doctrine received strong marks of approbation, if we may judge by the cry of "Hear, hear," which followed the assertion. But did it rest here? No, Sir, it did not: Another Right Hon. Gentleman (Mr. Burke) sanctioned the doctrine, talked of the Rights of the Prince of Wales, and confirmed the former Gentleman's opinion. The next day we met, another Hon. Gentleman (Mr. Sheridan) opened a new and alarming ground. He said our debates might provoke a claim not yet made. Is this language to be heard with patience? Shall we, Sir, be told of the danger of decision after such language. Mr. Watson, there is no danger can accrue from the free exercise of our privileges. But there would be danger, indeed, in skulking from the most important constitutional question ever agitated within these walls. Sir, I must complain of the injustice, the gross injustice which has been done to his Royal Highness the Prince of Wales. The Right Hon. Gentleman has declared that his opinion as to the Prince's Right, was his own opinion, stated in this House without any communication with his Royal Highness. After that declaration, Sir, it is a libel upon that Illustrious Personage to insinuate that he can be in the slightest degree affected by the Commons of Great Britain declaring *what are their Rights.* Sir, if the argument of moderate men goes

goes to any thing, it is to this.—To be ſure, it was haſty, raſh, and unadviſed in a Right Hon. Gentleman to broach a doctrine which many think to be unconſtitutional; but for God's ſake let it reſt there. Don't ſtir the queſtion: for there are differences of opinion, and much miſchief will enſue. Sir, I wiſh thoſe who are of a different opinion to ſay ſo, and to ſtate the grounds of that opinion. Either this thing is right, or it is wrong. This doctrine is conſtitutional or unconſtitutional.—We have voted the temporary incapacity of the King; and if the Right Hon. Gentleman's doctrine is true, every moment we ſpeak in debate, we violate the inalienable hereditary Rights of the Prince of Wales. And ſhall we, inſtead of deciding upon the merits, reſort to a ſubterfuge, and flinch from the queſtion? God forbid we ſhould ſo neglect our duty. The eyes of the public are apon us. The anxiety of all men is beyond example, and nothing leſs than a deciſion in ſuch a caſe will do. But, Sir, this is not the only inſtance in which the Prince of Wales has been groſsly libelled. The Right Hon. Gentleman has too clearly ſtated an approaching change of Miniſters for any man living to miſunderſtand him; but here alſo, I truſt in God, he will be diſappointed; and I thank him for ſo fair and ſo early an avowal as he has made.

Sir, To ſuppoſe for one moment that his Royal Highneſs the Prince of Wales ought to give, or will give his confidence to any man but upon public and patriotic grounds, is rank Toryiſm. Tell not me of the Runnimede Pillar, of Whig Clubs, Blue Coats and Buff Waiſtcoats; all the doctrines I have lately heard, are thoſe of Toryiſm run mad.

It has pleaſed Providence to afflict us with a very heavy, though a temporary, and I truſt a ſhort cala-

mity. At a time when the King was the moſt beloved Monarch that ever ſat upon the throne of this or any other kingdom, at a time when the Miniſter enjoyed the confidence of the Crown, of both Houſes of Parliament, and of at leaſt nineteen out of twenty throughout the nation—at a time when the character of Great Britain throughout Europe, and throughout the world, ſtood higher than at any event of the moſt brilliant periods of our hiſtory—at ſuch a time, when the people almoſt univerſally deprecate the moſt diſtant idea of a change of Adminiſtration, to affirm in this Houſe that the Miniſter poſſeſſed not, and deſerved not to poſſeſs the confidence of his Royal Highneſs, is a libel upon that great and exalted Perſonage, which ought not to paſs unnoticed.—Sir, it will, it muſt, be a recommendation to a Prince of the Brunſwick line, that the Miniſter is not a gambler, a ſwindler, a ſharper, or a cheat.—It muſt be a recommendation to a Prince of the Brunſwick Line, that the Miniſter ſpends not his time in gaming-houſes or brothels, but in the faithful and honeſt diſcharge of the laborious duties of his office.—It muſt be a recommendation to a Prince of the Brunſwick Line, that the Miniſter is ſupported, as I truſt he will be this morning, by a majority of honeſt and independent men, whom a public notification of his ſpeedy removal cannot warp—It cannot warp them; becauſe if it were true, ſuch an intimation, though it might afflict, would not intimidate them; but I for one will give no credit to it.—It muſt be a recommendation to a Prince of the Houſe of Brunſwick, that men of bold and deſperate minds, men bankrupt in fortune and in fame, did not reſort to his ſtandard—And I again repeat, Sir, that to inſinuate thus irregularly any deſign in the Prince

to

to diſmiſs the popular Miniſter of his Royal Father, is groſsly to libel his Royal Highneſs. Have Gentlemen oppoſite to me forgot their Whig doctrines and their Whig principles?—The Miniſter muſt have the confidence of the Crown, the confidence of Parliament, and the confidence of the People. Upon theſe grounds he has hitherto been ſupported—upon theſe grounds he will continue to be ſupported—truſting, as I do, that he will ſerve the Prince with the ſame fidelity and ſucceſs that he has ſerved our beloved Sovereign, until it ſhall pleaſe God to permit his Majeſty to reaſſume the Government of his Kingdom.—But, without looking to the right or to the left, to the Miniſter who now is, or to the Miniſter who hereafter may be, as an honeſt man, acting in behalf of the People, I am bound to aſſent to or diſſent from a plain, but by no means an abſtract propoſition—a propoſition which, in point of fact, not the Right Hon. Gentleman below me, but the Right Hon. Gentleman oppoſite to me, has brought under diſcuſſion; and I moſt heartily give my vote againſt your leaving the Chair, and will as heartily vote for the Reſolutions.

A

CORRECT LIST

OF THE

SEVERAL MEMBERS,

WITH THE

PLACES THEY REPRESENT,

Who voted FOR and AGAINST MR. PITT's MOTION, in the HOUSE OF COMMONS, in Support of the RIGHTS of the TWO HOUSES OF PARLIAMENT, on TUESDAY, DECEMBER 16, 1788.

London, ALDERMAN WATSON, in the Chair.

FOR *the Queſtion.*	AGAINST *the Queſtion.*
	Abingdon.
	E. L. Loveden, Eſq;
	Agmondeſham.
William Drake, Jun. Eſq;	
	St. Albans.
William Grimſton, Eſq;	William Charles Sloper, Eſq;
	Aldborough, Suffolk.
	P. C. Creſpigney, Eſq;
	Samuel Salt, Eſq;
	Aldborough, Yorkſhire.
Sir Richard Pepper Arden	
J. Galley Knight, Eſq;	
	Andover.
William Fellowes, Eſq;	
Benjamin Lethieullier, Eſq;	
	Angleſea.
Nicholas Bayley, Eſq;	

For *the Queſtion.*	Against *the Queſtion.*
Appleby.	
Hon. J. L. Gower	
Arundel.	
	Thomas Fitzherbert, Eſq;
	Richard Beckford, Eſq;
Aſhburton.	
Robert Mackreth, Eſq;	
Ayleſbury.	
Sir Thomas Halifax	William Wrightſon, Eſq;
Barnſtaple.	
William Devaynes, Eſq;	John Cleveland, Eſq;
Bath.	
Lord Viſcount Bayham	Abel Moyſey, Eſq;
Beaumaris.	
Sir Hugh Williams, Bart.	
Bedfordſhire.	
	Earl of Upper Oſſory
	Hon. St. Andrew St. John
Bedford.	
Samuel Whitbread, Eſq;	William Colhoun, Eſq;
Bedwin.	
Marquis of Graham Lieutenant-Colonel Manners	
Beeralſton.	
	Lord Viſcount Fielding
Berkſhire.	
George Vanſittart, Eſq; Henry James Pye, Eſq;	
Berwick.	
	Hon. General Vaughan
	Sir Gilbert Elliot, Bart.
Beverley.	
Sir James Pennyman, Bart.	

For *the Queſtion.*	Against *the Queſtion.*
	Bewdley.
Lord Weſtcote	
	Biſhop's Caſtle.
	William Clive, Eſq;
	Henry Strachey, Eſq;
	Blechingly.
	John Kenrick, Eſq;
	Sir Robert Clayton, Bart.
	Bodmyn.
	Sir John Morſhead, Bart.
	Thomas Hunt, Eſq;
	Boroughbridge.
Sir Richard Sutton, Bart.	Viſcount Palmerſton
	Boſſiney.
Matthew Montagu, Eſq;	
Hon. Charles Stuart	
	Boſton.
	Sir Peter Burrell
	Brackley.
Col. Egerton	
Timothy Caſwall, Eſq;	
	Bramber.
Sir H. G. Calthorpe, Bart.	
Major Hobart	
	Breconſhire.
	Sir Charles Gould
	Brecon.
	Charles Gould, Eſq;
	Bridgenorth.
J. H. Browne, Eſq;	Thomas Whitmore, Eſq;
	Bridge-water.
Sir Alexander Hood, K. B.	
Robert Thornton, Eſq;	
	Bridport.
	Thomas Scott, Eſq;
	Charles Sturt, Eſq;

For *the Queſtion.*	Against *the Queſtion.*
Briſtol.	
Matthew Brickdale, Eſq;	
Buckinghamſhire.	
Rt. Hon. W. W. Grenville	
Buckingham.	
Edmund Nugent, Eſq;	
Callington.	
John Call, Eſq;	
Calne.	
Joſeph Jekyll, Eſq;	
Cambridgeſhire.	
Philip Yorke, Eſq;	
Cambridge Univerſity.	
Right Hon. William Pitt Earl of Euſton	
Cambridge, Town of	
Francis Dickens, Eſq;	
Camelford.	
	James Macpherſon, Eſq; Sir Samuel Hannay, Bart.
Canterbury.	
George Gipps, Eſq; Charles Robinſon, Eſq;	
Cardiff.	
	Sir Herbert Mackworth, Bart.
Cardiganſhire.	
	Earl of Liſburne
Cardigan.	
	John Campbell, Eſq;
Carliſle.	
John Chriſtian, Eſq;	Rowland Stephenſon, Eſq;
Caermarthen.	
	John G. Phillips, Eſq;

For *the Queſtion.*	Against *the Queſtion.*
Caſtle-Riſing,	
Walter Sneyd, Eſq; Charles Boone, Eſq;	
Cheſhire,	
Sir R. S. Cotton, Bart.	John Crewe, Eſq;
Cheſter,	
Thomas Groſvenor, Eſq; R. W. Bootle, Eſq;	
Chriſtchurch,	
	Sir John Frederick, Bart. Hans Sloane, Eſq.
Chicheſter,	
George W. Thomas, Eſq;	
Chippingham,	
George Fludyer, Eſq;	James Dawkins, Eſq;
Cirenceſter,	
Lord Apſley Richard Maſter, Eſq;	
Clitheroe,	
	Thomas Liſter, Eſq; John Lee, Eſq;
Cockermouth,	
	J. Clarke Satterthwaite, Eſq; Humphrey Senhouſe, Eſq;
Colcheſter,	
	Sir Robert Smyth, Bart.
Corff Caſtle,	
John Bond, jun. Eſq; Henry Bankes, Eſq;	
Cornwall,	
Sir William Lemon, Bart.	Sir Wm. Moleſworth, Bart.
Coventry,	
Sir Sampſon Gideon, Bart. John Wilmot, Eſq;	

For *the Queſtion.*	Against *the Queſtion.*
	Cricklade,
Robert Nicholas, Eſq;	John Walker Heneage, Eſq;
	Cumberland,
	Sir Henry Fletcher, Bart.
	William Lowther, Eſq;
	Dartmouth,
Richard Hopkins, Eſq;	
	Denbighſhire,
	Sir Watkin W. Wynn, Bart.
	Denbigh,
	Richard Myddleton, Eſq;
	Derbyſhire,
	Lord George Cavendiſh
	Edward M. Mundy, Eſq;
	Derby,
	Lord G. A. H. Cavendiſh
	Edward Coke, Eſq;
	Devonſhire,
John Rolle, Eſq;	John Pol. Baſtard, Eſq;
	Dorſetſhire,
Francis John Browne, Eſq;	
	Dorcheſter,
	Hon. George Damer
	William Ewer, Eſq;
	Dover,
Robert Preſton, Eſq;	
	Downton,
Robert Shaftoe, Eſq;	Hon. W. S. Conway
	Droitwich,
	Hon. Andrew Foley
	Edward Winnington, Eſq;

For *the Queſtion.*	Against *the Queſtion.*
	Dunwich,
Barne Barne, Eſq;	Sir G. W. Vanneck, Bart.
	Durham, County of,
	Sir John Eden, Bart.
	Durham,
	John Tempeſt, Eſq; Wm. Henry Lambton, Eſq;
	Eaſt Looe,
Alexander Irvine, Eſq; Lord Viſcount Belgrave	
	St. Edmund's Bury,
Lord Charles Fitzroy	Sir Charles Davers, Bart.
	Eſſex,
Thomas B. Bramſton, Eſq;	
	Eveſham,
Sir John Ruſhout, Bart. Charles W. B. Rouſe, Eſq;	
	Exeter,
John Baring, Eſq;	Sir C. W. Bampfylde, Bart.
	Eye,
General Phillipſon Major General Bathurſt	
	Flintſhire,
	Sir Roger Moſtyn, Bart.
	Flint,
Major W. Williams	
	Fowey,
Philip Raſhleigh, Eſq; Hon. Richard Edgecumbe	
	Gatton,
James Fraſer, Eſq;	
	St. Germain's,
John James Hamilton, Eſq; Samuel Smith, Eſq;	

For *the Queſtion.*	Against *the Queſtion.*
	Glamorganſhire,
Charles Edwin, Eſq;	
	Glouceſterſhire,
Hon. Capt. Berkeley Thomas Maſter, Eſq;	
	Glouceſter,
	John Webb, Eſq;
	Grampound,
Francis Baring, Eſq;	
	Grantham,
George Sutton, Eſq;	
	Eaſt Grimſby,
	John Harriſon, Eſq; Dudley Long, Eſq;
	Eaſt Grinſtead,
George Medley, Eſq;	
	Guildford,
Hon. Thomas Onſlow	Hon. General Norton
	Hampſhire,
Robert Thiſlethwaite, Eſq;	Jervoiſe Clarke Jervoiſe, Eſq;
	Harwich,
John Robinſon, Eſq;	
	Haſlemere,
	John B. Garforth, Eſq; John Lowther, Eſq;
	Haſtings,
John Stanley, Eſq; John Dawes, Eſq;	
	Helſton,
James B. Burgeſs, Eſq;	Roger Wilbraham, Eſq;
	Herefordſhire,
Right Hon. Thomas Harley	Sir Geo. Cornwall, Bart.

FOR *the Queſtion.*	AGAINST *the Queſtion.*
	Hereford,
	John Scudamore, Eſq;
	James Walwyn, Eſq;
	Hertfordſhire,
Lord Viſc. Grimſton	William Plumer, Eſq;
	Hertford,
Baron Dimſdale	
John Calvert, Eſq;	
	Heydon,
Lionel Darell, Eſq;	
	Heyteſbury,
	W. P. A'Court, Eſq;
	Higham Ferrers,
	Right Hon. F. Montagu
	Highworth,
Sir C. F. Ratcliffe, Bart.	Will. Evelyn, Eſq;
	Hindon,
Will. Egerton, Eſq;	
	Honiton,
Rt Hon. Sir G.. Yonge, K B.	Sir Geo. Collier
	Horſham,
Jer. Crutchley, Eſq;	
Phil. Metcalfe, Eſq;	
	Huntingdonſhire,
Lord Viſc. Hinchinbroke	Earl Ludlow
	Huntingdon,
	Sir Walter Rawlinſon
	John Willett Payne, Eſq;
	Ilcheſter,
Benj. Bond Hopkins, Eſq;	
Geo. Sumner, Eſq;	

For *the Queſtion.*	Against *the Queſtion.*
Ipſwich,	
Charles Alex. Crickett, Eſq;	William Middleton, Eſq;
St. Ives,	
Will. Praed, Eſq;	
Kent,	
Hon. Charles Marſham	Filmer Honeywood, Eſq;
King's Lynn,	
	Hon. Horatio Walpole
Kingſton-upon-Hull,	
Sam. Thornton, Eſq; W. Spencer Stanhope, Eſq;	
Knareſborough,	
	Lord Viſc. Duncannon
Lancaſhire,	
John Blackburne, Eſq;	Thomas Stanley, Eſq;
Lancaſter,	
	Sir Geo. Warren, K. B. Ab. Rawlinſon, Eſq;
Launceſton,	
Lord Arden	Sir John Swinburne, Bart.
Leiceſterſhire,	
John Peach Hungerford, Eſq; Will. Pochin, Eſq;	
Leiceſter,	
Colonel Macnamara Charles Lor. Smith, Eſq;	
Leominſter,	
John Hunter, Eſq; Penn A. Curzon, Eſq;	
Leſkeard,	
Hon. Edward James Eliot Hon. John Eliot	

For *the Queſtion.*	Against *the Queſtion.*
Leſt-withiel,	
John Thomas Ellis, Eſq;	Sir John Sinclair, Bart.
Lewes,	
Thomas Kempe, Eſq;	Hon. Henry Pelham
Lincolnſhire,	
	Sir John Thorold, Bart. Cha. Anderſon Pelham, Eſq;
Lincoln,	
John F. Cawthorne, Eſq;	Hon. R. L. Saville
Litchfield,	
	George Anſon, Eſq;
Liverpool,	
Bamber Gaſcoyne, Eſq;	Lord Penrhyn
London,	
Sir Watkin Lewes	Nathaniel Newnham, Eſq; John Sawbridge, Eſq;
Ludlow,	
	Lord Clive Richard P. Knight, Eſq;
Luggerſhall,	
Geo. Aug. Selwyn, Eſq; Nath. W. Wraxall, Eſq;	
Lyme Regis,	
Hon. Thomas Fane Hon. Henry Fane	
Lymington,	
Robert Colt, Eſq; George Roſe, Eſq;	
Maidſtone,	
Matthew Bloxam, Eſq;	Clement Taylor, Eſq;
Malden,	
John Strutt, Eſq;	Sir Peter Parker, Bart.

For *the Queſtion.*	Against *the Queſtion.*
	Malmeſbury,
	Lord Viſcount Melbourne Lord Viſcount Maitland
	Malton,
	Right Hon. Edmund Burke William Weddell, Eſq;
	Marlborough,
Earl of Courtown Sir Philip Halles, Bart.	
	Marlow,
Sir Thomas Rich, Bart.	William Clayton, Eſq;
	St. Mawes,
Hugh Boſcawen, Eſq; William Young, Eſq;	
	St. Michael,
Chriſtopher Hawkins, Eſq;	David Howell, Eſq;
	Midhurſt,
Henry Drummond, Eſq;	Edward Cotsford, Eſq;
	Middleſex,
William Mainwaring, Eſq;	
	Milbourne Port,
Lord Muncaſter	Colonel W. Popham
	Minehead,
Robert Wood, Eſq;	
	Monmouthſhire,
Major General Rooke	John Morgan, Eſq;
	Monmouth,
Marquis of Worceſter	
	Montgomeryſhire,
	William Moſtyn Owen, Eſq;
	Montgomery,
	Whitſhed Keene, Eſq;

For *the Queſtion.*	Against *the Queſtion.*
Morpeth,	
	Peter Delme, Eſq;
	Sir James Erſkine, Bart.
Newark,	
Lieut. Col. John Sutton	
Lord Mulgrave	
Newcaſtle-under Lyne,	
Sir Arch. Macdonald	
Richard Vernon, Eſq;	
Newcaſtle upon-Tyne,	
Charles Brandling, Eſq;	Sir Matt. W. Ridley, Bart.
Newport, Cornwall,	
	Sir John Miller, Bart.
Newport, Hants,	
Hon. John Townſhend	Edward Ruſhworth, Eſq;
Newton, Lancaſhire,	
Thomas Brooke, Eſq;	Thomas P. Leigh, Eſq;
Newton, Hants,	
John Barrington, Eſq;	
Mark Gregory, Eſq;	
Norfolk,	
Sir John Wodehouſe, Bart.	Sir Edward Aſtley, Bart.
Northallerton,	
Henry Peirſe, Eſq;	
Edwin Laſcelles, Eſq;	
Northamptonſhire,	
Sir James Langham, Bart.	Thomas Powys, Eſq;
Northumberland,	
	Sir William Middleton, Bart.
	Charles Grey, Eſq;
Norwich,	
Hon. Henry Hobart	Rt. Hon. W. Wyndham

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Saltaſh,	
	Major Lemon
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Philip Stephens, Eſq;	
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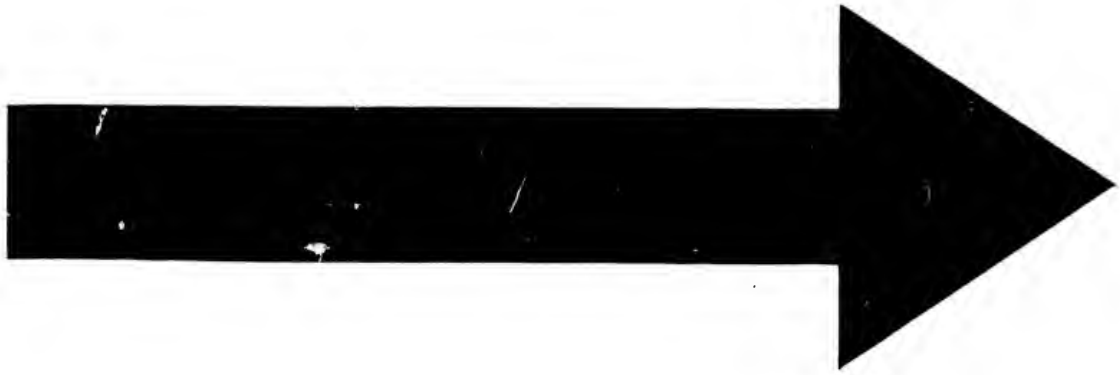

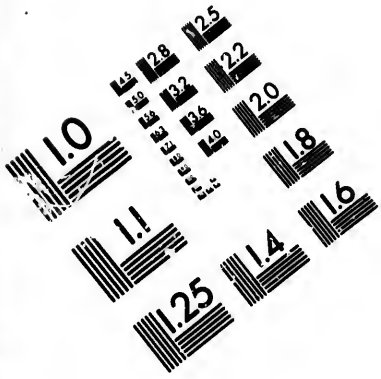

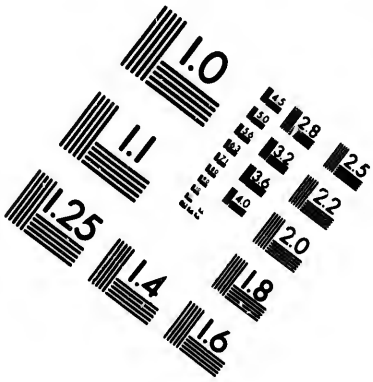

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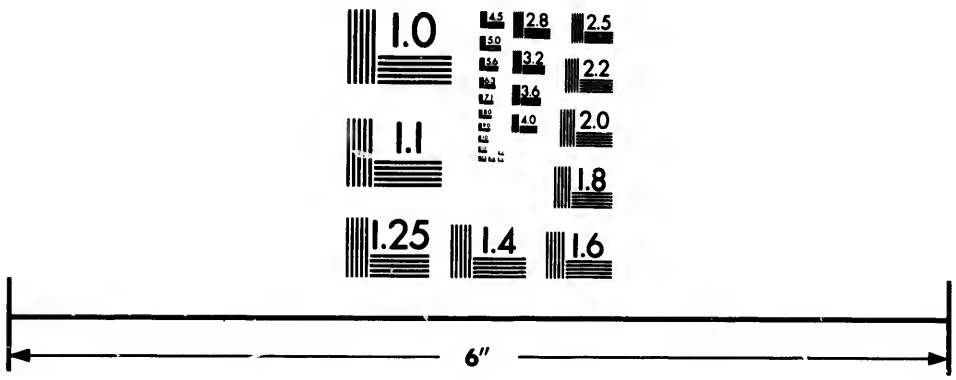

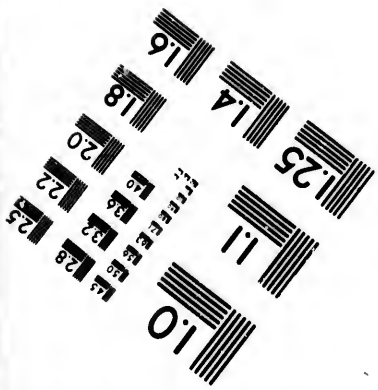

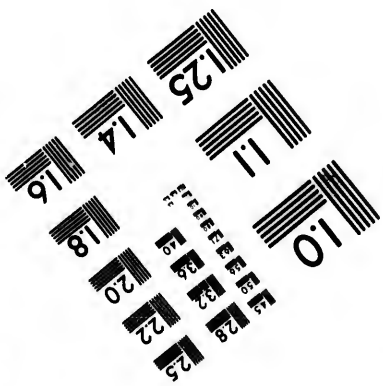

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| William Nedham, Eſq.

MAJORITY IN FAVOUR OF THE RIGHTS OF THE PEOPLE, SIXTY-FOUR.

The following Gentlemen, who were prevented by Illneſs, *&c.* from attending the Houſe, on *Tueſday* the 16th Inſtant, voted for and againſt Mr. DEMPSTER's Motion for an ADDRESS to the PRINCE OF WALES, on *Monday*, the 22d Inſtant.

Againſt the Motion.	*For the Motion.*
Sir C. Sykes, Bart. *Beverley*	Lord Beauchamp, *Orford.*
Henry Cruger, Eſq; *Briſtol.*	
John Parry, Eſq; *Carnarvonſhire.*	
Edmund Baſtard, Eſq; *Dartmouth.*	
Henry Addington, Eſq; *Devizes.*	
Edward Bearcroft, Eſq; *Heidon.*	
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Lord Kenſington, *Haverfordweſt.*	
Thomas Gilbert, Eſq; *Litchfield.*	
Lord Wenman, *Oxfordſhire.*	
Richard Barwell, Eſq; *St. Ives.*	
Charles Ambler, Eſq; *Saltaſh.*	
Sir John Honeywood, Bart. *Steyning.*	
Sir John Duntz, Bart. *Tiverton.*	
William Lygon, Eſq; *Worceſterſhire.*	
P. P. Powney, Eſq; *Windſor.*	

The following Gentlemen have been prevented by Illneſs, from attending the Houſe, during the preſent Seſſion.

Sir Henry Peyton, Bart. *Cambridgeſhire.*
Paul Orchard, Eſq; *Callington.*
Nathaniel Smith, Eſq; *Rocheſter.*
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