

Die Luna 29. Decembris 1788.

The Order of the Day being read for taking into Consideration the Report from the Committee of the whole House appointed to take into Consideration the State of the Nation and the Resolutions of the Commons relative to His Majesty's Indisposition, and the Means of supplying the Defect of the Personal Exercise of the Royal Authority arising therefrom, delivered at a Conference on the 23^d. Instant which were referred thereto.

And the Report of the said Resolutions being read by the Clerk.

Moved to agree with the Commons in the said Resolutions.

The Question was put thereupon?

It was Resolved in the Affirmative.

Dissentient.

1st Because we adhere to the ancient Principle recognized and declared by the Act of the 13th of Charles the Second, that no Act or Ordinance with the Force
and

Ex?

and Virtue of a Law can be made by
either or both Houses of Parliament
without the King's Assent. — A Principle
standing as a Bulwark to the People
against the two Houses, as the two
Houses are their Security against the
Crown.

2^{dly} Because this Principle is
facitly admitted by the Third Resolution,
while it overthrows the Practice, by a
simulate Appearance of the Royal
Assent under a Commission to pass
Bills. — A Commission which would
be inconsistent with the Provisions of
an Act in the 33^d of Henry 8th requiring
that every such Commission shall be
signed with His Majesty's Hand.

In Our present unhappy Situation
that essential Requisite being
unattainable We cannot condescend
to give a Sanction to a counterfeit
Representation of the Royal Signature,
and We dare not assume a Power to
dispense with the Law, which makes
that Signature essential to the Validity
of a Commission to pass Bills.

3^{dly} Because We conceive that the unquestionable Rights of the People, so fallaciously represented as being upheld by these Resolutions, are violently infringed by an unnecessary Assumption on the Part of the two Houses of Powers beyond those which the Nation has assigned them. Invariable Practice in all good Times, and positive Laws established by complete Parliaments truly and constitutionally representing the Nation, have defined those Powers: and We cannot but regard with the utmost Apprehension any Proposal to overstep those Boundaries, when the Consequence of such Usurpation is so fatally marked in the History of our Country.

4^{thly} Because it was confessed in the Debate that the Powers of this Commission were not to be confined solely to the act of appointing a Regent, to what other Purposes they may extend were not explained

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explained, State Necessity the avowed
ground of the Measure may serve as
the Pretext for any Diminution of the
just Prerogative of the Crown, or of
the Liberties of the People, that best suits
the Designs of Ambition. Fatal
Experience had shewn to Our Ancestors,
the boundless Mischief of Power thus
usurped under plausible Appearances,
and it is peculiarly the Duty of the
House of Peers to check the Renewal of a
Practice to assume the Name without
the Substance of the Royal Authority
by which this House was once
annihilated, the Monarchy overthrown,
and the Liberties of the People subdued.

5.^{thly} Because these dangerous and
alarming Consequences of the Measure
adopted would have been obviated by
the Amendment rejected. It proposed
to substitute a Measure conformable
to the Practice of Our Ancestors at the
glorious Era of the Revolution, they
seized

seized not upon Publick Necessity as
a Convenience for the Usurpation of
new Powers, but proceeded in a plain
and explicit Form, to the Revival of
the Royal Authority with full Efficacy
before they entered upon the Exercise
of their Legislative Functions.
Pursuing a similar Course. The
Amendment proposed the immediate
Nomination of the natural
Representative of the King, the Heir
Apparent of the Crown to whom alone
it was universally admitted the Eyes
and Hearts of all Men were turned
during the present unhappy
Conjuncture that with a perfect and
efficient Legislature such future
Provisions might be Enacted as the
Preservation of the full and
undiminished Authority of the
Crown, and of the Liberties of the
People may require.

Frederick. Henry. Bedford.
Northumberland

Northumberland. Ponsonby. Cadogan.
Suffolk & Berk.^o Spencer. Carlisle.
Maynard. Norfolk. E. M. Casillis.
Rawdon. Breadalbane. Cardiff.
Audley. Malmesbury. Hay.
Clifton. Rodney. Skinnard.
Chedworth. Selkirk. Loughborough.
Wentworth Fitzwilliam. Portland. Pelham.
Walpole. Hereford. Devonshire.
Derby. Cholmondeley. Ch^r. Bristol.
Scarborough. Foley. Craven.
Porchester. Boyle. Huntingdon.
Southampton. Lovel & Holland. Lottian.
Hertford. Abergavenny. Townshend.
Plymouth. Teynham. Hampden.

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Postent of the Lord

Postent of the Lord,
29th Dec. 1700.

Regency